

April 30, 1965

CONGRESSIONAL RECORD — SENATE

8729

But with which agency in Government in particular shall there be cooperation, even assuming a desire on the part of the agency and the businessman to engage in such amicable relationships?

EXAMPLE

During Senate debate of the Bank Merger Act of 1960, the then majority leader gave assurances that the bank mergers were then and would continue to be exempt from the antimerger provisions of section 7 of the Clayton Act. The bill was passed on the assumption that such mergers would remain subject to supervision and approval by the banking authorities; namely, the Federal Reserve Board of Governors, Comptroller of the Currency, and the Federal Deposit Insurance Corporation.

Subsequent court decisions, however, in the Philadelphia, Lexington, and Manufacturers-Hanover cases repudiated all this.

Now then, no Senate majority leader, no President, and no Congress or any part of it can be charged with responsibility for a Supreme Court decision; and should not be.

Here is a splendid opportunity to apply this business of "Come, let us get together and reason." This is so because the case is now back in the Congress in the form of a bill. Senator ROBERTSON, chairman of the Banking and Currency Committee, has introduced a corrective bill providing that supervision of bank mergers be restored to the Federal banking authorities.

A well-placed word or a message from the President on the subject on which he has personal and technical knowledge would make the assurances of the 1960 Senate majority leader come true.

It is sincerely hoped that such will be the case, and that current rumors are false in saying that the Department of Justice and the Bureau of the Budget—the President's right arm—will oppose the Robertson bill.

TO SUMMARIZE

To pledge friendship and profess a desire for an acceptable relationship between Government and business is one thing.

To try to find them in actual existence these days is something else.

If the examples and remarks already given are not enough, bring to your mind some topics such as these: Packaging and labeling bill, minimum wage increase, double pay for overtime, extended coverage in Wage-and-Hour Act, 35-hour workweek, summary extinction of the bracero program, repeal of section 14b of the Taft-Hartley Act, expansion of the Walsh-Healey Act by administrative action, expansion of the Bacon Act, also by Executive order or action, aspects of urban renewal, rent subsidies for families living in nonprofit housing developments, some of which must be occupied by tenants paying their own way.

Whatever national goals are decided upon, their success will depend upon the private economy growing and prospering.

Without that growth, such goals will never be approached.

It is the private economy alone that can create, produce wealth, develop and keep up to date in a way and degree equal to the task. It has the incentives, positive and negative, to get this done.

It is subjected to the daily test of competition. If it makes wrong decisions, disciplines assert themselves at once—either a loss of profits or corporate extinction. If there are a minimum of errors, profits result.

For the government, there are no checks. The most erroneous program, once started, can roll on unchecked indefinitely and usually does. Since there is no competition and since profit means nothing to government, there is no incentive or reason to be efficient or productive.

Knowing of this indispensable role of private economy in attainment of national goals, is it not incumbent upon the owners

and managers of American business and industry to use their strengths as a deterrent against that incessant drive for ever-expanding government activity which can end in nothing less than complete domination?

So there is still time. Consensus conformity is not yet absolute. Great freedoms can still be an alternative to the Great Planned Society. There is still time. There is still choice. But if the time is not used to make the choice—we may run out of both, even as to wring our hands and pay our dues.

Time and choice will not compromise with us. The advocates of central authority will not and never have compromised. Today we cannot compromise. We must make our choice—and it must become our life. Today we have a choice and the choice is yours.

That is the provocative title assigned to me today, "The Choice is Yours."

I cannot help wondering whether the same title can be assigned to a speaker on your program 10 years from now, or even 5 years. Some people wonder whether we will still have a choice at that later time.

I believe we will.

The choice is yours—and mine.

TRIBUTE TO SENATOR DIRKSEN FOR ADDRESS AT APPRECIATION DINNER

Mr. CARLSON. Mr. President, on the evening of April 28 over 800 Republicans and friends honored our distinguished minority leader, the Honorable EVERETT MCKINLEY DIRKSEN, Senator from Illinois, by giving an appreciation dinner at the Sheraton Park Hotel.

Members of Congress, outstanding business executives, and other friends of Senator DIRKSEN were in attendance.

On this occasion Senator DIRKSEN delivered a most informative and interesting address on the future outlook of the Republican Party.

I ask unanimous consent that his address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Mr. Chairman, my colleagues, fellow Republicans and friends, truly, I am highly honored by your presence tonight. I am humbly grateful for this testimonial occasion. I hope that even in modest degree I merit this expression of esteem and confidence. I can only requite it by continuing service to my country and my party according to my lights so that at long last it may be said that I made some telling marks in the cause of freedom and of mankind.

In larger measure your salute should be tendered to the distinguished Senator from Kentucky, THRUSTON MORTON. With complete unselfishness he has journeyed to every corner of this country in behalf of our party and its candidates. Busy as he is with the important work of the Commerce and Finance Committees of the Senate he has cheerfully and vigorously pursued his duties as chairman of the Republican National Senatorial Campaign Committee. With high devotion he has undertaken the thankless task of raising funds for his colleagues and the party. He has done a superb job in presenting the party cause. Tonight may I respectfully suggest that we give THRUSTON MORTON a rising vote of thanks as a modest token of our deep appreciation for his work.

Your presence at this dinner is evidence of your faith in the Republican cause despite the reverses we have suffered. It is a measure of your faith in the Republican Party as the real hope for preserving our free

system against the deeper and deeper intrusions of government into the affairs of the people. Your presence is an impressive response to the needs of the party and fortifies our hope for victory as we approach the campaign of 1968.

Both in the past and in the present there is plenty to sustain our hopes for the future. The Republican vote in 1964 was 10 million greater than in 1936. It was 5 million greater than in 1940. It was 5 million greater than in 1944. It was 5 million greater than in 1948. It was equal to the Democrat vote in 1952. It was 1 million greater than the Democrat vote in 1960. It was topped only once by the Democrat or the Republican loser in the last 28 years. This record does not sustain the cry of despair, disaster and catastrophe which was heard after the election of 1964.

In recent weeks there have been local elections in which the results clearly indicate a resurgence of Republican spirit. If the bold and determined spirit manifested by the party workers is a hint of what lies ahead we can cheerfully and confidently face the elections of 1966 and thereafter with a high and resolute hope of victory.

The same passion which encompassed our defeat in 1964 can be the same passion and the same force to produce victory in the days ahead. The campaign of 1964 was so basically one of fear which had a real impact on the people. The basic propositions, however, on which we stand are those upon which we have based our case before and which are fundamental tenets of the party.

The proposition is peace and the "trigger happy" sloganeers will find little in the record to bring them cheer and comfort as they face the electorate in the future. It is not the fact that we are in Vietnam that will count but that we have been in Vietnam too long without decisive and encouraging results.

The proposition still is the spending of billions of borrowed money over and above the heavy taxes at Federal, State, and local levels and the open invitation to destructive inflation which goes with it.

The proposition still is burdensome taxes. Today the taxgatherer at all levels takes 25 percent of the national income. The boast of reduced taxes at the Federal level and their effect on individual incomes will vanish when we make it crystal clear that reductions are more than offset by increasing levies at local levels and by the indirect burdens placed upon the people as well as the eroding away of purchasing power by inflation.

The proposition is the growing concentration of power in the Federal Central Government. Phrased another way it is the proposition of big government. One out of every six workers in the United States is a Government employee. Today it totals 12 million. Fifteen years ago it was but 7 million. As the number of farmers diminishes the rolls of the Department of Agriculture go up and now stands at 110,000. Other agencies of Government have proliferated to unbelievable size. Truly this is the day of gargantuan government.

The proposition is freedom. More and more it is no longer the consent of the governed but rather the consent of the Government which must be obtained in the conduct of commerce and business. More and more the States and communities become subservient. Federal aid to State and local governments has risen from 3.8 billion in 1956 to 13.6 billion in 1966, an increase of 260 percent. Federal funds returned to State and local governments now equal 14 percent of their revenues and with this dependence upon the Federal Government there goes the quiet and steady erosion of freedom.

The proposition is foreign aid. Twenty years after a single paragraph in the speech of George Marshall initiated the Marshall

8730

CONGRESSIONAL RECORD — SENATE

April 30, 1965

plan and after the expenditure of 110 billions we are still loaning, granting, assisting on a worldwide basis and the end is not in sight. We cannot forever redress the grievances and assume the burdens of this entire world.

The proposition is our vanishing prestige as a world leader. Once our party was charged with impairing our prestige abroad. Lift your eyes in any direction and one can say that our prestige has been all but destroyed.

The proposition is respect for our country. Our embassies has been picketed and assaulted. Our flag has been hauled down and desecrated. Our citizens have been humiliated. Little Caesars have insulted our pride and it is high time that we retrieve our prestige everywhere in the world.

The proposition is domestic tranquility. Long ago Jefferson wrote that among other things the people intended this Government to insure domestic tranquility. There is a strange current of uneasiness in the land. It springs from strife and demonstrations, from crime and violence, from student upheavals and a strange and growing incapacity for living with ourselves in an atmosphere of serenity and tranquility. The test of any administration is not merely the well-being of the Nation but the tranquility and basic contentment of the people.

The proposition is the preservation of a vital, vigorous two-party system. Government is dangerously unbalanced. Top-heavy majorities in both branches of Congress come unhappily close to one-party government. It becomes a seedbed for bureaucratic government and partiality. A top issue in the elections of 1966 will be the preservation of this two-party system which for 175 years has stood the test of time.

The average age is lowering in this Nation and young Americans are going to pay the bills which this generation so carelessly piles up but they are beginning to ask questions. For us to say what fun it would be if our great-grandchildren could see how much fun we are having in spending that which they in their day will have to pay back, may evoke a polite smile but down deep, young America is beginning to appreciate what the bitter legacy will be.

It was written in the Holy Book that the fear of the Lord is the beginning of wisdom. We can say that the fear for peace, security, solvency, soundness, tranquility, freedom, prestige, all become a matter of deep concern and then become a matter of political action. Tonight we witness an impressive beginning.

THE REVOLUTION IN THE DOMINICAN REPUBLIC

Mr. THURMOND. Mr. President, the current crisis in the Dominican Republic presents a type of problem to the United States which in recent years has become all too familiar, in all too many spots in the world. It is a revolution with the ostensible purpose of installing a self-avowed democratic head of state, who is in reality either a sympathizer or frontman for the Communists, supported by the Communists in an effort to secure control and domination over one more country.

As the able chairman of the Senate Internal Security Subcommittee pointed out yesterday, in his timely and forthright speech on the Senate floor, there is a convincing parallel between Juan Bosch and Fidel Castro, and between the current situation in the Dominican Republic and the events in Cuba preceding Castro's takeover.

For all the similarities, however, there is one significant, refreshing, and encouraging difference between the current events in the Dominican Republic and those which took place in Cuba and so many other target countries of the Communists.

The difference, Mr. President, is the attitude and action of the United States. And the difference is all important. Instead of being too late with too little, the United States has acted with dispatch and decision to protect the interest of the United States and of freedom.

There is little doubt, of course, that the President will be subjected to a loud chorus of criticism, not only from abroad, but probably from within the country as well. Before the criticism starts, those who support the President's resolute action should make their support known. I am sure that the President will have the support of a great majority of Americans for this action on the Dominican crisis.

It was announced this morning that the United States was sending two battalions of paratroops to support the approximately 1,500 U.S. marines already in the Dominican Republic. This prompt action may well prevent the establishment of Communist domination in another Caribbean country.

I commend the President for the dispatch and firm resolve with which he has met this challenge. It has been many years, indeed, since Americans have had occasion for such pride and confidence in their Government's handling of a foreign crisis.

ALL DEFENSE CONTRACTORS SHOULD INITIATE AN AFFIRMATIVE PROGRAM OF COST REDUCTION IN PERFORMANCE OF DEFENSE CONTRACTS

Mr. STENNIS. Mr. President, I have a statement which was released by the President of the United States under date of April 28, 1965, regarding certain matters with reference to defense contractors.

In this statement, the President enumerates that in December of 1963, he requested all defense contractors to initiate immediately "an affirmative program of cost reduction in the performance of defense contracts."

The objectives stated in the guidelines, as he reviews them, are set forth in this statement. The statement also includes a statement by the President with reference to the speed and effectiveness with which our Nation's defense industry has responded to the challenge and his gratification.

This statement deserves publication in the CONGRESSIONAL RECORD not only to benefit contractors, who are interested parties in such matters, but also the general public. I ask unanimous consent that this statement from the White House be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT

On December 2, 1963, I requested that all defense contractors initiate immediately "an affirmative program of cost reduction in the performance of defense contracts." Subsequently, the Department of Defense issued guidelines defining an effective contractor-cost-reduction program to contractors having an annual volume of defense sales in excess of \$5 million, exclusive of firm fixed-price contracts. The objectives stated in those guidelines were:

1. Intensify efforts by individual contractors to achieve cost reductions in the performance of defense contracts.
2. Establish criteria for operating a contractor-cost-reduction program.
3. Provide for regular review and evaluation by the Department of Defense of contractors' individual cost-reduction programs.
4. Assure that the effectiveness of a contractor's cost-reduction program will be taken into account in making future source selections and in determining contractor profit and fee rates.
5. Provide appropriate public recognition to contractors who have achieved significant cost reductions.

I am happy to report that 78 of the Nation's largest defense contractors, with a total of 205 major plants or divisions, have now joined us in this vital effort, and that reports of their considerable accomplishments are now being evaluated by the Department of Defense. The first of these semiannual reports covers cost reductions for the previous 6-month period, based on the individual contractor's fiscal year.

During March and April, defense contractors from all parts of the country are participating in the advanced planning briefings for industry at Los Angeles, New York, Chicago, Dallas, and Washington, D.C. These briefings, which are jointly sponsored by the Department of Defense and the National Security Industrial Association, are providing opportunities for defense contractors to display the many impressive cost reduction ideas which they have already put into practice and of which they are justifiably proud.

The speed and effectiveness with which our Nation's defense industry has responded to this challenge is not surprising, but it is gratifying. The contractors engaged in this important effort have pledged a dollar's value for every dollar spent, and this value is being reflected in lower costs to the American people for their national defense.

JOINT ECONOMIC COMMITTEE SETS HEARINGS ON BERNSTEIN COMMITTEE REPORT ON BALANCE-OF-PAYMENT STATISTICS

Mr. PROXMIRE. Mr. President, today the Bernstein committee, which has been meeting for 2 years, has published its report on balance-of-payments statistics. This is a very important and controversial report.

The report recommends that we stop measuring the balance-of-payments deficit in the manner in which it is being measured now, and promote the use of a new concept which gives sharply different numerical results.

As chairman of the Subcommittee on Economic Statistics, I announce that our subcommittee will hold hearings beginning on Tuesday, May 11. Dr. Bernstein, chairman of the Bernstein committee, will appear, accompanied by the very distinguished panel of economists who filed the report with him. These econo-

ATE

8777

citizens, especially those public officials who want to honorably perform their duties and also those citizens who seek to live in peace and who have a right to do so, without unreasonable interference.

Surely, with all of the power available to the Attorney General under this proposed bill, and with all of the legal procedures available to those who seek the right to vote, there is no need for marches, sit-ins, stand-ins, and other demonstrations that would unreasonably interfere with the rights of others. This amendment would strengthen the method of taking the issue out of the streets and placing it into the courts, where it properly belongs.

Unlike the terms of the substitute bill, this amendment applies to all States and political subdivisions, not just a select few. It will be needed in every State and in many cities outside the South. The April 12 issue of Newsweek magazine contained an article which quoted Martin Luther King as saying demonstrations would be conducted nationwide in the coming year. He said:

You can expect this in New York and in Philadelphia and Chicago and Detroit and Los Angeles and Selma.

This amendment is not just to protect the South—it is to preserve law and order throughout the Nation.

The growing demonstrations are apparently a matter of grave concern to high ranking officials in the administration, including the White House, where, the same Newsweek issue states:

Presidential aides privately expressed fear that Martin Luther King might lose his leadership to SNCC hotheads.

This amendment is necessary as a protection to our public officials and the taxpaying, peaceable citizens of our Nation.

At the appropriate time I shall urge its adoption.

THE DOMINICAN REPUBLIC

Mr. STENNIS. Mr. President, before I yield the floor, I wish to make a few brief remarks with reference to the very grave and serious situation with which we are confronted now in the Dominican Republic. In my judgment, it becomes graver and more serious hour by hour. The news is not at all good now, and it is entirely possible that the Government in the Dominican Republic could collapse over the weekend. I have not read any of the news on the tickers in the past few hours, but the situation is changing by the hour. It could collapse in such a way, before the Senate reassembled on Monday, that the rebel forces, unless otherwise prevented, would take over. Among those rebels forces are an extreme Communist group which has come to the top, have come to power, and these include a group of them specially trained in guerrilla warfare of the most effective and severe type. They are already the dominant position of that group. If they get an opportunity to form a government, they will naturally be at its head.

President Johnson has acted wisely and quickly in sending in the armed

8778

CON

might of this Nation to protect our civilians there. I know that we will be criticized by many of the family of nations around the world for being too harsh or too quick, or for engaging in a diplomacy of power, or of blood and iron. However, I am one of those who have believed for a long time that we were going to have to take stronger measures and act quickly under these new conditions if we are going to be effective.

I believe in this situation which is so near our own shorelines and what has already happened in Cuba, and is now becoming apparent in the Dominican Republic, that the President has acted entirely properly, that his action was necessary and that his promptness to act will save a great deal of serious trouble, and probably far more extensive interventions and loss of life in the future.

The big question is still to come, a question which we may have to decide over the weekend: How much further shall our forces be used to keep a possible Communist regime from coming to power and taking over the Government of the Dominican Republic?

I hope that the President will see fit at least to exercise his power for a holding action to prevent such a take over. We must then get a decision from the Organization of American States to see whether they will stand with us and try to prevent another nation from being taken over by an actual, outright Communist regime. We cannot afford to wait for the OAS to act first.

Mr. President, I attend a great many military hearings and briefings perhaps and am therefore closer to the problem than most. I cannot overemphasize how grave the situation is and how essential it will be for us to make up our minds quickly. We are taking one of the gravest steps a nation can take. However, the stakes are very high and if we can prevent this takeover and the Organization of American States does not back us up—I hope and pray that they will, and I believe that they will—then we will have to make a decision as to how far we are going alone.

Under all the circumstances, we have no real choice. We cannot permit a Communist regime to set itself up in the Dominican Republic, in a country so close to our shores. If we do permit it, then that will really be the breakthrough, and expansion in Latin America after that will come thick and fast, and soon get beyond our control.

I earnestly pray that the situation will develop in the other direction. It is grave at present and is growing and developing by the hour. We must stand firm and take whatever steps are necessary through the armed forces which we fortunately have there, in order to prevent this takeover, and to set up a plan—even if we have to go it alone—to make our opposition effective and permanent.

Mr. President, I yield the floor.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

April 30, 1965

CONGRESSIONAL RECORD — SENATE

8779

PURPOSE OF THE BILL

The purpose of this legislation is to authorize the Secretary of the Navy to sell items of enlisted naval clothing at no Government expense to the Naval Sea Cadet Corps for sea cadets.

PAYMENT OF SPECIAL ALLOWANCES TO DEPENDENTS OF MEMBERS OF THE UNIFORMED SERVICES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 160, House bill 3043.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 3043), to amend title 37, United States Code, to authorize payment of special allowances to dependents of members of the uniformed services to offset expenditures incident to their evacuation, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with an amendment to strike out all after enacting clause and insert:

That title 37, United States Code, is amended as follows:

(1) The following new section is inserted after section 405:

"§ 405a. Travel and transportation allowances; evacuation allowances

"(a) Under regulations prescribed by the Secretaries concerned, when dependents of members of the uniformed services are ordered evacuated by competent authority from places outside the United States to places inside the United States, they may be authorized such allowances as the Secretary concerned determines necessary to offset the expenses incident to the evacuation. Allowances authorized by this section are in addition to those authorized by any other section of this title. For the purposes of this section, a dependent 'ordered evacuated by competent authority' includes—

"(1) a dependent who is present at or in the vicinity of the member's duty station when the evacuation of dependents is ordered by competent authority and who actually moves to an authorized safe haven designated by that authority, whether such safe haven is at or in the vicinity of the member's duty station or elsewhere.

"(2) a dependent who established a household at or in the vicinity of the member's duty station but who is temporarily absent therefrom for any reason when evacuation of dependents is ordered by competent authority; and

"(3) a dependent who was authorized to join the member and who departed from his former place of residence incident to joining the member but who, as a result of the evacuation of dependents, is diverted to a safe haven designated by competent authority or is authorized to travel to a place the dependent may designate, even though he was in the United States when the evacuation was ordered.

"(b) Under regulations prescribed by the Secretaries concerned, each member whose dependents are covered by subsection (a) of this section is entitled to have one motor vehicle owned by him and for his personal use, or the use of the dependents, transported at the expense of the United States to

a designated place for the use of the dependents. When the dependents are permitted to rejoin the member, the vehicle may be transported at the expense of the United States to his permanent duty station."

(2) The analysis of chapter 7 is amended by inserting the following new item:

"406a. Travel and transportation allowances; evacuation allowances."

(3) Section 407(a) is amended by inserting the words "or whose dependents are covered by section 405a(a) of this title" after the word "station".

(4) Section 407(b) is amended—

(A) by striking out the word "or" at the end of clause (1);

(B) by striking out the period at the end of clause (2) and inserting the word "or" in place thereof; and

(C) by adding the following clause (2): "(3) the member's dependents are covered by section 405a(a) of this title."

(5) Section 411(a) is amended by inserting the figure "405a," after the figure "405."

(6) Section 1006 is amended—

(A) by adding the following sentence at the end of subsection (c): "The Secretary concerned or his designee may waive any right of recovery of not more than one month's basic pay advanced under this subsection if he finds that recovery of the advance would be against equity and good conscience or against the public interest."; and

(B) by adding at the end:

"(g) Under regulations prescribed by the Secretary concerned, the dislocation allowance authorized by section 407 of this title for a member of a uniformed service whose dependents are covered by section 405a(a) of this title may be paid in advance of the evacuation of the dependents and to the dependents designated by the member."

SEC. 2. This Act becomes effective on February 1, 1965, and terminates on June 30, 1966.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 173), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this legislation is to authorize the payment of special allowances and dislocation allowances to dependents of members of the uniformed services whenever these dependents are evacuated from an overseas danger area to the United States.

As many Members of the House will recall, the need for such allowances was graphically demonstrated during the evacuation of dependents of military personnel from the Naval Base, Guantanamo Bay, Cuba, to Norfolk, Va., in October 1962.

As a consequence of that evacuation, under circumstances in which dependents were only permitted to take one suitcase per person, they arrived in Norfolk with limited amounts of clothing, and most with limited funds. Consequently, a number of cases of serious hardship occurred.

In the absence of legislation, the Secretary of Defense subsequently approved certain expenditures from his contingency fund to cover some of the unusual expenses incurred

by dependents evacuated from Guantanamo Bay, Cuba, to Norfolk, Va.

EXISTING LAW

Under existing law dependents of uniformed services personnel evacuated from an overseas area are entitled to the following payments—

(1) There is presently no authority for special allowances for dependents who are evacuated from overseas points to the United States.

The present authority for payments is limited to evacuations from one overseas area to another overseas area. Under these circumstances dependents are entitled to a per diem payment and the cost-of-living allowance prescribed for the area to which they are evacuated.

(2) Advances in pay up to 2 months' basic pay can be made by the service to dependents of members of the Armed Forces designated for evacuation. This advance, however, is basically a loan which requires ultimate repayment.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SITUATION IN THE DOMINICAN REPUBLIC

Mr. CLARK. Mr. President, this morning's newspapers carry the news of the landing of U.S. marines in Santo Domingo. The announced purpose is to protect American lives, to defend our Embassy, and to restore order in a country where government appears to have broken down.

I hope that that is the entire purpose of the landing of the marines. I do not question the authority of the President to send our marines to that strife-torn country; nor do I criticize him for doing so for the announced purpose. Nevertheless, it is disturbing to find a reversion to what has come to be known historically as gunboat diplomacy. Criticism is already appearing in metropolitan daily newspapers of high repute. I ask unanimous consent that an editorial published in this morning's New York Times entitled "Marines in Santo Domingo," may be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MARINES IN SANTO DOMINGO

There was a valid reason for the United States to put a Marine landing force in Santo Domingo. This reason was to protect Americans and evacuate those who desire to leave. There would be no excuse for American Marines to remain beyond that short time. It will be for the Organization of American States to pick up from there.

Only Latin Americans and students of the history of the Caribbean can appreciate fully what it means to have the word flashed around the hemisphere: "The American Marines have landed." The symbol of President

8780

CONGRESSIONAL RECORD — SENATE

April 30, 1965

Theodore Roosevelt's "Big Stick" and of President Taft's "Dollar Diplomacy" is United States occupation by Marines.

The present move, according to President Johnson, is not intended to be an occupation. He has explained that the troops went ashore "to give protection to hundreds of Americans who are still in the Dominican Republic and to escort them safely back to this country."

This is a right and necessary function; it should be the only one. As in the Cuban nuclear crisis of 1962, the OAS has been faced with a fait accompli and there appears to be some hard feelings on that score. The United States decision was a unilateral one made, presumably, because there was no Dominican Government empowered to ask for American troops.

The main function of the OAS now is to set up a mediation mission and send it to Santo Domingo as soon as possible. The heavy fighting cannot last much longer.

Afterward the full depth of the tragedy will be only too clear. In a brief and concentrated fashion, the Dominican Republic is in the throes of a species of civil war. It is a small country, in which the leading families are well known to each other and to the people. The seeds of hatred have been planted, and they will bear bitter fruit for years to come.

The political situation will defy simple solution, whichever side wins. The Dominican Republic is now and will be for some time a shattered country. Moreover, its political components—in the parties, the trade union, the army and the so-called "club of families" or oligarchy—are immensely complicated. The way things are going to be, the Dominican Republic will need an extended period of peace, one sustained by Dominicans, perhaps with the help of the OAS—but not by American Marines.

Mr. CLARK. Mr. President, I ask unanimous consent that an editorial in this morning's Washington Post, entitled "Back to 1916?" may be printed in the RECORD at this point of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BACK TO 1916?

In 1916, when President Wilson was otherwise distracted with the war in Europe, he was persuaded to send U.S. Marines into the Dominican Republic on the argument that the political anarchy there threatened American lives and property and assistance was needed to service foreign debts. The President's action resulted in a full-scale military occupation and the marines stayed on for 8 years. When they did leave, they were soon succeeded by Rafael Trujillo, a military dictator who tyrannized the Dominican people for another 30 years.

Now President Johnson has ordered U.S. Marines to the Dominican Republic to protect Americans and other nationals and assist their evacuation from a republic beset with political anarchy. Their numbers, listed by the White House as 400 on Wednesday night, already had jumped to 556 in a State Department announcement yesterday noon.

The leaders in the Dominican military coup last Sunday were members of the Dominican army. They were opposed by members of the Dominican tank corps and air force and, eventually by members of the Dominican navy. The army tossed out President Juan Bosch's unconstitutional successor, Donald Reid Carbal, and moved to bring Bosch back from his exile in Puerto Rico. The anti-Bosch forces, led by tank corps Brig. Gen. Elias Wessin y Wessin, a tough-fighting, fanatically religious anti-Communist who booted Bosch out in the first place, quickly stood up to the army. Then, as the crossfire

continued, the anti-Bosch forces—not the Dominican military as a whole—appealed to the United States to send in the Marines.

Before we get drawn into Dominican affairs in the name of anticommunism we need to examine the extent of Dominican communism. There are three minor groups, the orthodox Soviet-oriented, PSPD which is aimed at both indoctrination and infiltration; the terroristic, Cuban-directed MPD; and the minute PNR, which advocates communism by education. There is also a fourth, the biggest and most important, the Fourteenth of June Group, which is an indigorous nationalist party with, indeed, a heavy Communist sprinkling.

Until now, it has been U.S. policy and interest to keep these Communist groups fighting each other, and to prevent a polarization of military extremists on the right and unified Communist extremists on the left which would leave no room for moderates in the middle.

Certainly, the United States does not want to see the Dominican Republic become another Communist Cuba. But equally certainly, the United States does not want to see the Dominican Republic revert to another tyrannical military dictatorship led by the Trujilloists still around.

When Trujillo was assassinated 3 years ago, a Latin American elder statesman, former President Figueres of Costa Rica, suggested that a trusteeship be established either under the Organization of American States or the United Nations to provide for some sort of orderly transition. Yesterday the OAS called for a cease-fire and began to move toward collective action. Certainly either the OAS itself or the U.N. would appear preferable to the U.S. Marine diplomacy of 1916.

Mr. CLARK. One would hope that the Organization of American States would agree promptly to take over the job of reestablishing order in the Dominican Republic and would make prompt arrangements for free elections. One would also hope that as soon as that was done the Marines would be withdrawn.

I have long been of the view that in the modern world military solutions to political problems are no longer feasible. We have a well-established procedure in the Western Hemisphere for dealing with civil disorders and for calling into play rather elaborate treaty provisions in which all of the countries of the Western Hemisphere can join under the auspices of the Organization of American States.

We have suffered too long under the criticism of what has sometimes been called "dollar diplomacy," or "gunboat diplomacy," to look with equanimity on another example of its use in an independent country.

Mr. President, I would hope that these legal agreements to which we are a party could be promptly brought into effect.

I do not have the slightest doubt that this is the intention of the Secretary of State and the President of the United States. We shall recall that the last time marines went into the Dominican Republic, they stayed there for 8 years. Shortly after they left, the Dictator Trujillo took over, and he oppressed, killed, or imprisoned his people and ruled with a ruthless dictatorship for 30 years. We did very little to remove his dictatorial and cruel government. Possibly we were quite correct in not doing so, because once we withdrew the Marines, we undertook to recognize the sover-

eignty of that country and of all others. In due course, the Dictator Trujillo, far too late, was removed from office.

There was a revolution. He was assassinated. A free election was arranged, and Juan Bosch received 60 percent of the votes in a free election. He took office. It has been said that he was not a good administrator. It has been said that he did not very satisfactorily deal with the many different factions and disruptions and with the economic, political and financial problems of his country. No doubt those criticisms have some merit. No one is perfect. But he was the first duly elected President of the Dominican Republic as a result of a free election within the memory of man.

I do not say that the United States supported the revolution which deposed him. I do say that we viewed his deposition with rather extraordinary equanimity. It is now suggested that the revolutionaries are supporting a return of Mr. Bosch. I do not condone either the revolution which deposed him or the revolution which seeks to reinstate him. I do say that there is no reputable opinion in this country or elsewhere which can produce a scintilla of evidence that Mr. Bosch is a Communist. On the contrary, his political principles are quite closely related to those of the great Governor of Puerto Rico, Muñoz-Marín.

Whether a revolution to unseat the duly elected President of a neighboring and friendly country is desirable or not, we did not send Marines down there to restore him to power. On the contrary, in short order we recognized the military junta which replaced him, and then the civilian junta which took over from the military.

It may well be, as the newspapers have stated, that there are certain Castro-trained Communists who are in the revolution and are promoting chaos in Santo Domingo today. If that is true, I deplore it. It would be a tragedy to have Santo Domingo follow the Castro example and show up with a Communist government. But in all candor I suggest that it is not a very good way to prevent a country from going Communist to send 4,800 marines into that country to protect 1,300 American citizens. I suggest also that the natural adverse reaction to sending marines back into the Caribbean is not helped very much by the reports in today's newspapers. I quote a dispatch from Santo Domingo that appeared in the New York Times:

A high ranking United States naval officer said early today that the function of the marines who have been landed here was not only to protect the evacuation of Americans and other nations but also "to see that no Communist government is established in the Dominican Republic."

Mr. President, since when have anonymous high naval officers been stating the foreign policy of the United States of America? I would hope that the naval officer who made that statement was not authorized to do so, either by the Pentagon or by the State Department. I hope that his identity will be determined and that he will be disciplined.

The foreign policy of our country is made by civilians and not by the military.

April 30, 1965

CONGRESSIONAL RECORD — SENATE

8781

It may well be that this is merely a sample of the tendency I have noted elsewhere, and which I deplore, not only in Santo Domingo, but in South Vietnam and elsewhere. The military is tending to usurp civilian authority. We find that military operations tend to outrance diplomacy. We become committed to actions not only in Santo Domingo but also in South Vietnam; and one wonders whether they have ever been approved by either the Secretary of State or the President of the United States.

I would hope very much that both the White House and the State Department would look with great care into the statement by a so-called high ranking officer stating the purpose of our Marines in Santo Domingo. I am encouraged to note that the statements which have come from the White House and the State Department do not conform to what that anonymous high ranking naval officer has said. On the contrary, they say that, "The purpose of the Marines in Santo Domingo is to protect American lives." Once arrangements can be made for the Organization of American States to restore order and to establish some kind of interim government there so that free elections can be held, I would hope that the State Department would withdraw the Marines.

I not on the floor of the Senate the able chairman of the Subcommittee on American Republics Affairs of the Foreign Relations Committee, who is an expert on this subject. I wonder if he has any views with respect to what I have said.

Mr. MORSE. I had come to the floor of the Senate to make a speech, but the Senator from Pennsylvania is making it for me. I did not vote for that resolution last August; the Senator from Pennsylvania did, so he is better qualified, I think, as I am sure he voted for it based upon an interpretation as to what he thought it meant.

I should like to ask the Senator from Pennsylvania a question, because I think these things are all related. I shall not interrupt the Senator very long. I wonder if the Senator from Pennsylvania, when he voted for that resolution last August, thought he was authorizing the President of the United States to send many thousands of American boys into southeast Asia without coming back to the Congress of the United States and asking for approval?

Mr. CLARK. Or to send hundreds of American boys and airplanes to bomb the North Vietnamese north of the 17th parallel. My categorical answer is that I did not. I have had an opportunity this morning to review a part of the debate in the Senate with respect to that resolution, and I find, not to my surprise, that the chairman of the Foreign Relations Committee did not think so either.

Mr. MORSE. I say to the Senator from Pennsylvania that that subject will be a part of my speech this afternoon, too. I have studied that debate. I do not see how anyone could read the debate in the Senate of last August and find any justification for the President of the

United States bombing North Vietnam or sending increasing thousands of American boys to South Vietnam. Once again I say to my President, "Come to a joint session of the Congress and do what the Constitution clearly calls upon you to do. Recommend to the Senate and to the House of Representatives a declaration of war, or else stop conducting Johnson's war in southeast Asia that is going to kill thousands and thousands of American boys."

From the floor of the Senate today I say to the American people, "Wake up. Your President is taking you into war without the authorization of the Congress." When the President says, "You people in Congress voted for it; you determined the policy last August," I say that the President had better read that debate, because that debate never gave the President the authority that he has assumed today to make war in southeast Asia and in which there is taking place the killing of unjustifiably increasing numbers of American boys, because in the absence of a declaration of war, the President of the United States has no justification for killing American boys in southeast Asia.

The Senator from Pennsylvania is responsible for my statement about it because of the brilliant observations that he has made. But I say that he and I are members of the Foreign Relations Committee. The Foreign Relations Committee had better get on the job. The Foreign Relations Committee has the responsibility. The Foreign Relations Committee has the responsibility now of pointing out to the American people what I consider to be usurpation of power on the part of the President of the United States in making war in southeast Asia in the way he is making it now. The resolution does not give him the authority. The Constitution does not give him the authority. The Foreign Relations Committee had better begin to hold him to an accounting.

Mr. CLARK. Mr. President, I say in all good humor to my good friend from Oregon that I shall not detain him much longer by holding the floor, but I would prefer to have him make his speech on his own time. I disassociate myself from his criticisms of the President of the United States, whom I hold in very high regard.

I should like now to turn very briefly to Santo Domingo. To conclude my comments in that regard, I would hope very much that the President and the Secretary of State, both of whom I honor and both of whom I support, would find it possible, in short order, to turn over the Santo Domingo problem to the Organization of American States, of which we are a part, and to withdraw the U.S. Marines from Vietnam, having provided for the safety of the American citizens there, and to appreciate that in the modern world it is wiser to solve these problems, wherever possible, through bilateral diplomacy, and when that type of diplomacy fails, then by regional or collective action of the countries which are treaty bound to preserve order in the

hemisphere and to prevent the infiltration of communism there.

The image of the United States all over the world is suffering—and I am one of those who thinks that the image of the United States all over world is important—because we are increasingly resorting to force instead of to diplomacy in attempting to solve the difficult problems which confront our country all over the world. Some of those problems are beyond our somewhat limited power to solve unilaterally, but none of them are likely to be brought to a happy solution by turning our foreign policy over to the military.

COLUMNISTS AND AMERICAN FOREIGN POLICY

Mr. CLARK. Mr. President, I now turn briefly to another subject. It has to do with some of the recent activities of some of our columnists with respect to American policy in South Vietnam.

It has been pointed out that in our pluralistic and democratic society, it is impossible, and probably unwise, to stifle criticism of governmental action. Many of us who are loyal supporters of the Johnson administration have understandably been reluctant to criticize his policies in Vietnam and elsewhere. Personally, I am still reluctant to do so. But we cannot shut the mouths of columnists, letter writers, editorial writers, and others. It is a good thing that we cannot.

But just as the comments of a Member of Congress on the floor of either Chamber are not subject to suits for libel or slander, so we on our part are reluctant to criticize the widely syndicated columnists whose readership is so much greater than our own, as our views are published either in the press or in the CONGRESSIONAL RECORD. So realizing the risk one runs, and having already, in fact, made a few comments on this subject before, I should like to indicate my rather complete dissent from the point of view of that most emotional, although nonetheless erudite, of columnists, Mr. Joseph Alsop, a gentleman of deep knowledge, great energy, careful and studious scholarship, yet, nevertheless, a gentleman with whose judgment I have had many an occasion to quarrel—and not only with his judgment, but with his manners.

Mr. Alsop wrote for the Washington Post of the 21st of April an extraordinary column entitled "Pompous Ignorance." Parenthetically, this is one of the most outstanding instances of the pot calling the kettle black that I have seen in some time.

I ask unanimous consent that this column by Mr. Alsop be printed in full at this point in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

POMPOUS IGNORANCE
(By Joseph Alsop)

One proof of the wisdom of President Johnson's Vietnamese policy is its marked success to date.

One must always be prepared for bad news. But it must also be said that since the

Pleiku episode drove the President to take determined action, he and his policymakers have been calling the shots with quite unprecedented accuracy.

Another proof of the President's wisdom is the kind of criticism his policy has thus far invited. It is bad enough when Senator FULBRIGHT allows himself to ruminate in public on the desirability of stopping the bombings. Apparently the Senator believes that this is the best way to promote negotiations on an acceptable basis. One can only reply that credulity is a cherished senatorial prerogative.

A more detailed reply is demanded, however, by the increasing barrage of such pieces as one just published by Prof. Hans J. Morgenthau of the University of Chicago. Morgenthau is an interesting figure; for he plays almost the same key role among the modern appeasers that Geoffrey Dawson of the Times of London played in the be-nice-to-Hitler group in England before 1939.

The resemblance is curiously exact, moreover. "We are deluding ourselves in Vietnam," says Professor Morgenthau and he gives two main proofs for this assertion. First, he warns that we are getting Communist China's back up, which he thinks dangerous because he also thinks that the Chinese Communists are "the wave of the future."

He does not quite use that phrase from the old days. But his explanations of the need to recognize Communist China as the dominant power in Asia appear to have been borrowed, almost in toto, from the old Times of London leaders about the need to recognize Hitler's Germany as the dominant power in Europe.

But just as credulity must always be recognized as an inalienable senatorial prerogative, so the right of professors of political science to play at being realists must also be acknowledged. What is not pardonable in any serious academic figure is simple, pompous ignorance such as is revealed by Professor Morgenthau's statement that "the military conquest of Tibet" is an exceptional episode in Chinese history.

This statement is the key to the second Morgenthau argument, that if no one gets China's back up, China will leave her neighbors to "live peacefully in (her) shadow." But the central fact of Chinese history, its most impressive, indeed awe-inspiring aspect, is the tirelessness with which the Chinese people have resumed the task of conquest whenever an opportunity offered.

China, properly so called, appears when her history begins as a rather small region in the Yellow River Valley. Since then, China has regularly expanded whenever a strong central government possessed the means to do so. Even in this century, when China's Government was weak for so long, the geographical area of ethnic China—the territory mainly inhabited by people of Chinese blood—has nonetheless more than doubled.

Manchuria is fully Sinified. Inner Mongolia is largely digested. The huge province of Sikkim where tribal peoples lived in effective independence until the end of the Second World War, is already being swallowed down. In one or two more generations the Tibetans, if they survive at all, are only likely to survive outside Tibet. And the ancient peoples of central Asia have heard their doom proclaimed.

Even in southeast Asia, both the Vietnamese and the Thais are refugee peoples, long ago pushed out of what is now China by Chinese pressure. In these circumstances, expecting the Chinese to let their neighbors alone, if everyone is just nice to them, is really a great deal sillier than the old be-nice-to-Hitler arguments.

That does not mean that the Chinese people are evil or perverted. On the contrary, they are enviably intelligent, industrious,

courageous, and in all ways talented. There is a grain of truth among Professor Morgenthau's silly chaff, in the sense that the formidable qualities of the Chinese people also make them a formidable problem.

One way to solve the problem, to be sure, is to recognize the Chinese as the Asian herrenvolk, and to allow them to gobble their neighbors at will, even though their neighbors happen to be our friends and allies. If Professor Morgenthau possessed enough forthrightness to recommend this solution, he could not be called ignorant, although he might perhaps be criticized on other grounds.

It seems a bit better, however, to stand fast by our allies; to defend our own vital position as a Pacific power, and to hope, with good reason, that the evolutionary power of time and the native strength of the Chinese people will eventually bring the present bout of Chinese governmental Stalinism to an end.

Mr. CLARK. Mr. President, in the course of his column, Mr. Alsop undertook to criticize an eminent professor, a student of Far Eastern affairs and of foreign affairs generally, Prof. Hans J. Morgenthau, of the University of Chicago. Mr. Morgenthau, an acquaintance of mine, but a man whom I do not know well, has written with what I think has been great perspicacity and shrewd understanding about many of the problems confronting our country in the modern world. It is true that he has been somewhat critical of our foreign policy in Vietnam.

In the column he wrote, Mr. Alsop took affront—and rather angry affront—at some of Mr. Morgenthau's views; in fact, Mr. Alsop was rather shrill about it. Mr. Morgenthau, with what I thought was considerable good humor and devastating logic, undertook to rebut Mr. Alsop's point of view in a communication published in the Washington Post this morning. I ask unanimous consent that Mr. Morgenthau's reply be printed at this point in my remarks.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

A COMMUNICATION

The story is told of a medieval peasant who made it his hobby to visit the public disputations of learned men. "What do you do this for?" one of his fellow peasants asked him one day, and he answered: "I want to know who is right." "How can you know that since you don't understand Latin?" was the retort. Our man replied: "I don't need to. Whoever gets angry first is wrong."

Mr. Joseph Alsop, in his column of April 21, is obviously angry with me, and he chooses to express his anger by questioning my intelligence, my knowledge, and my character. If Mr. Alsop had arguments with which to demolish my position, he would have used them rather than hurling invectives at my person.

Mr. Alsop misrepresents my position with regard to our involvement in Vietnam and our relations with China virtually out of recognition. I cannot be expected to repeat here what I have said elsewhere for the benefit of the readers of Mr. Alsop's column who might be misled by his misrepresentation. I refer to the New Republic of April 3 and 31 and to the New York Times magazine of April 18. I cannot be expected either to explain to a literate public that Mao Tse-tung is not Hitler, that the position of China in Asia is not like that of Nazi Germany in Europe, that Vietnam is not Czechoslovakia, that my opposition to our involvement in Vietnam is not identical with that of the appeasers of 1938. Anyone who believes that these disparate situations and issues

are identical is beyond the reach of rational argument.

However, Mr. Alsop puts up what has at least the appearance of a rational argument in the form of his references to Chinese history. Anyone with the slightest knowledge of that history must recognize the absurdity of Mr. Alsop's contentions. But not all readers of Mr. Alsop's column can be expected to have that knowledge. Thus I must perform the unpleasant but necessary task to set the record straight.

Mr. Alsop contends that "the central fact of Chinese history . . . is the tirelessness with which the Chinese people have resumed the task of conquest whenever an opportunity offered." In support of that contention Mr. Alsop adduces three facts: First, China appeared originally "as a rather small region in the Yellow River Valley." Second, even in this century the geographic area of ethnic China has more than doubled, with Manchuria, Inner Mongolia, and Sinkiang having been digested. Third, in southeast Asia, the Vietnamese and Thai are "refugee peoples, long ago pushed out by Chinese pressure."

The first fact refers to the bronze age and is, of course, equally true of all nations now existing. They all have developed throughout millennia from small beginnings through conquest and migration into their present size. The second fact refers not to conquest but to inner migration. It is analogous to the westward expansion of the original States of the Union, to the recent settlement of California and Arizona by easterners and midwesterners, or to the settlement of Siberia by Russians. The third fact is not a fact at all. The Vietnamese and Thais migrated in prehistoric times to where they have lived ever since, and in the absence of any record nobody can tell for sure where they came from and why they moved.

Nothing Mr. Alsop has said invalidates my original statement that China has expanded south and southwestward primarily through its political and cultural superiority and not through conquest. To quote from an article in the Far Eastern Quarterly of February 1942 by Prof. John K. Fairbank, of Harvard, whose knowledge of Chinese history is superior to Mr. Alsop's and mine: "Separated from the West, the Chinese Empire grew by the acculturation of its borders. Its expansion was the expansion of a way of life . . . the Chinese were impressed with one fact: that their superiority was not one of mere material power but of culture. Gradually but invariably the barbarian in contact with China tended to become Chinese, by this most flattering act reinforcing Chinese conviction of superiority." It is this cultural superiority recognized by all concerned which made it unnecessary for China to conquer her neighbors to the south and southwest. During approximately 2,000 years of her history, China could have conquered any of her neighbors to the south and southwest but did not do so. Throughout her history, China was satisfied with special tributary relationships which left the individuality and autonomy of her neighbors intact.

Mr. Alsop's column is indeed a scandal. It is a flagrant abuse of the freedom of the press, for he uses that freedom as a license to smear, abuse, and misinform. But there is a consolation in that episode, too; for since the real reason for Mr. Alsop's excesses is my opposition to a policy which is likely to lead to war with China or the Soviet Union or both, that small but influential group within our Government, whose spokesman Mr. Alsop has been consistently, must be pretty desperate if they have nothing better to offer in support of their cause than this column of Mr. Alsop's.

H. J. MORGENTHAU,
Center for the Study of American Foreign and Military Policy, University of Chicago.

These are invasions of privacy of the worst sort.

If the Food and Drug Administration would spend a little less time and effort on religions, small manufacturers of vitamins, and milk substitutes, and a little more on the large manufacturers of such dangerous drugs as chloromycetin, Mer-29, and thalidomide, the public would be better served.

This subcommittee has no desire to hinder effective law enforcement; but it does mean to assure that law enforcement complies not only with the letter of the Constitution, but also with the spirit of the Constitution so that the promise and opportunity granted by that great document is available to all Americans.

I shall do all in my power to see to it that the abuses we have learned of in the past few days do not recur in the future. It must also be stated that it is the immediate and urgent duty of the Food and Drug officials to acquaint themselves with, as well as to instruct their employees on, the rights of the individual and to learn that in America, the statement that a man is innocent until proven guilty is a credo by which we live and not a worn and tired cliché.

U.S. POLICY WITH RESPECT TO THE DOMINICAN REPUBLIC

Mr. MORSE. Madam President, during the day there was some discussion on the floor of the Senate with regard to the sending of U.S. Marines into the Dominican Republic. I have been asked by a good many persons, both in and out of the Senate, to make some comment on the matter because of my chairmanship of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations. I have kept myself informed of and have followed step by step, as I could obtain information from the executive branch of the Government, our course of action in the Dominican Republic.

It seems to me there is one salient point that some members of the press, who seem to be criticizing the sending of American Marines into the Dominican Republic, are overlooking; that is, that our Government was officially advised by the officials of the Government of the Dominican Republic, which we recognized, that that Government could not give assurance that Americans in the Dominican Republic would be protected.

Madam President, I have familiarized myself with the timing of the event; and time was of the essence. Some of our good friends in Latin America seem to hold to the position that the President of the United States should have first resorted to the procedures of the Organization of American States before sending in the Marines.

I would share that point of view if time had permitted it, but it did not. We are either going to protect and save American lives or we are not.

When we were notified by the officials of the Dominican Republic that they could not give assurances that American lives could be protected, I think it was imperative that the President meet the emergency.

Many labor under the false impression that emergencies can be continuing things, lasting for a considerable period of time, and, so long as that period of time runs, there is no responsibility on the Chief Executive of this land to resort to procedures that would permit of a review of his exercise of power.

However, in this case the President was well within his authority and his duty, having been notified by the Dominican Government that these American lives were in danger, in proceeding to rescue the American nationals and directing the attention of the Marines to that operation and that operation only, instructing them not to involve themselves or participate in the internal strife that had broken out in the Dominican Republic.

I am not in a position to comment on what has happened in recent hours, but I feel that I am at least in a position to comment on the cause and purpose of our going in, and the instructions that were given to our Marines and their officers.

I believe that the mission is being accomplished. As far as the protection of Americans in the Dominican Republic is concerned, a large number of them have already been evacuated. I am advised that steps are being taken to evacuate the others.

It has been brought out in discussions today, with members of the Committee on Foreign Relations and others, that there is concern as to whether our Marines are not being used now for an occupation that involves them in the domestic affairs of the Dominican Republic, rather than in the right of our Government to respond to the need for protecting American nationals in the Dominican Republic.

Frankly, I am in no position to comment on what has transpired, if anything, over and above the effectuating of the purpose for which they were sent in under the invitation of the Dominican Government itself.

These matters are so vital, so critical, and so important to our country that I have no intention at this time of commenting in regard to certain allegations that have been bandied about today to the effect that we have pretty much performed the mission for which we went in, and that now apparently a policy is being pursued of staying there in order to prevent the Dominican Republic from being taken over by elements that our Government may think are Communist oriented—God forbid—and elements that might possibly set up another Cuba in the Dominican Republic—God forbid.

I shall await a further briefing as to whether there have been any changes in instructions to our military personnel in the Dominican Republic. So far as I am concerned, I believe the President acted properly. He acted after consultation with the leaders of Congress and with our ambassadorial officials who were in a position to give him the best evidence available at the moment. I do not believe that the President is deserving of any criticism for sending them in. Apparently the purpose of our presence in the Dominican Republic is being limited

to protecting American lives and getting American nationals out. If that is not the purpose, that raises the very difficult and delicate matter of whether the fact that the government that we recognized—if it has, and I do not know that it has—invited us to come to its assistance to protect our American nationals from an alleged Communist overthrow would justify a further occupation.

As a matter of international law, I would say that it would not justify further occupation without two approvals. We should have the approval of the Organization of American States itself, because under that charter, procedures are set up that would be binding upon the United States and every other member of the charter in respect to any intervention on the part of any member of the charter or any other country.

Furthermore, I would like to believe, and still hope, that in this country, congressional approval would be obtained on the specific facts before any occupation of that nature would be sanctioned by the President in that state.

I shall await the facts, which I do not have now, before I pass any judgment on some of the criticisms that are being hurled at the U.S. Government from both within our country and abroad.

The reaction in Latin America needs to be watched very carefully for, too often, it is nip and tuck in Latin America so far as having the approval of the countries which we want as friends is concerned.

I hold in my hand a UP dispatch which reads:

Latin American nations today protested the U.S. troop landings in the Dominican Republic as a violation of that nation's sovereignty, but some recognized the need to protect U.S. citizens.

I digress from the dispatch to say that apparently they are not aware of the fact, as I announced earlier in these comments that we went in when we were invited by the then official government of the Dominican Republic. It probably still is the official government of the Dominican Republic. Until we get reports to the effect that the rebels have succeeded, I have no reason not to believe it to be.

The dispatch continues:

Mexico, in a government statement, "lamented" the U.S. action and expressed hope the troops would be withdrawn as soon as possible. It conceded, however, that "reasons of a humanitarian character" caused the landing.

There is no question about it. I wonder if the officials of the Mexican Government who made the statement are aware of the fact that the United States was notified that in the uprising which broke out there would be no assurance that Americans would be protected. Not only that; we have been protecting not only Americans, but, as is typical with us, we made it clear we would protect others besides American nationals.

The dispatch continues:

Uruguay's chamber of deputies voted 65-9 to protest against the landings. But the government turned down a Venezuelan move for joint action to halt bloodshed in the Dominican Republic. It said there was no "external aggression" there.

Peru last night called the landings "lamentable" and a reverse for the inter-American system.

It said the OAS charter condemns such interference in the internal affairs of a member state.

In Santiago, it was announced that Venezuela and Chile have formed a common front to halt the bloodshed in the Dominican Republic "and avoid the establishment of a dictatorship."

Chilean President Eduardo Frei received a cable from President Raul Leoni yesterday urging a joint mediation attempt, and agreed immediately.

In Caracas, Venezuela, the Dominican exile colony protested against "foreign intervention."

The Peronist bloc in Argentina's chamber of deputies attacked the landings as intervention in the Dominican Republic's internal affairs.

Madam President, I quote these UP dispatches concerning Latin American reactions in some places to lay the foundation for the observation I now make. I am sorry that apparently these dispatches were sent abroad without the knowledge that the U.S. Government has made very, very clear that it would welcome consideration of the entire problem from the standpoint of the Organization of American States and its procedures, and will proceed with those discussions.

The last information I have received which was within the hour, is that discussions will start as early as tomorrow.

It is not expected that we are going to walk out on our nationals in the Dominican Republic before we evacuated them. I have been told, and I believe correctly, that the evacuation is proceeding as rapidly as possible.

This is not a black and white situation; grey areas are bound to develop. Therefore, we are entitled to know, and I believe we will be told as soon as the facts can be collected, whether or not there is any basis in fact for a point of view I have heard expressed here and by some in the Foreign Relations Committee this morning, that in the Dominican Republic we are going beyond the legitimate protection of American nationals and are seeking to decide for ourselves whether or not the military junta is being threatened by a proleffist group, and that, therefore, we ought to stay and involve ourselves in that controversy.

From the standpoint of our treaty obligations, our Latin American allies who object will have the better of the argument. In regard to that kind of information, we had a clear duty before that matter was initiated, but we do now, certainly, if that happens to be the fact—I have no reason to believe it is, and trust it is not—to lay that problem before the Organization of American States and abide by the procedures and processes of that body as set up in the charter.

I conclude my remarks for today on the Dominican Republic matter by saying that I believe the President was right in sending troops in to protect our nationals. I believe the President was right in making it clear, as to any of the other events that might develop, or that it is alleged are developing out of the incident, that we are perfectly willing to have a full disclosure, an unconditional

discussion of those issues before the Organization of American States.

Madam President, it is very important—and I am absolutely confident the President and the Secretary of State share this point of view—that in a critical situation such as this we leave no room for doubt among our Latin American allies and friends that we join with them in seeking to carry out the obligations that we all have under the Organization of American States; that we are not seeking to engage in unilateral military action on the part of the United States in respect to any of the domestic problems of the Dominican Republic. Under that charter, we have no right to do so. Under that charter we have an obligation to place the problem before the Organization and recommend whatever joint action we might think under the premises and facts are justified.

Mr. ALLOTT. Madam President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. ALLOTT. I have listened to the remarks of the Senator with a great deal of interest. Does the Senator believe that if events should occur which would make clear that we were encountering a Communist takeover in the Dominican Republic, along similar lines, but not necessarily the same lines, as occurred in Cuba, the Organization of American States would see fit to take action, or would they still regard this as an internal affair of the Dominican Republic?

Mr. MORSE. My point is that, in the first place, we have an obligation, under the charter, to lay the matter before the Organization and see what it wants to do. I believe, particularly from the Punta del Este Conference and the meeting of the Ministers of the Organization of American States held last year in Washington, that they would not stand by and have communism take over the Dominican Republic, because both at Punta del Este and the Conference here last year the members of the Organization of American States pledged joint action against the spread of communism in the Western Hemisphere.

My plea is that we go through the procedures of the Organization of American States and not run the risk of giving anti-American groups in Latin American countries propaganda fodder. These groups exist in practically every country there. I do not know of one country in which they do not exist. In my judgment, they are a relatively small minority. I do not wish to give them any reason to build up a successful course of action by making charges that the United States is deciding unilaterally what shall be done in regard to an assumed Communist threat in the Dominican Republic.

Mr. ALLOTT. With that point, which I would agree with the Senator from Oregon at this point in time that we should not place ourselves in this position, in a short time we may find ourselves on the horns of the proverbial dilemma, that after we have evacuated our citizens and perhaps have evacuated ourselves—and we would have to evacuate, in order to keep full faith with the statements President Johnson has

made—we might then find ourselves facing a de facto Communist takeover. After presenting the problem to the Organization of American States, we might find them reluctant to live up to its expressions of last year and permit another Communist country in the Western Hemisphere. It seems to me that we cannot afford to permit that to happen, although, at the present moment, no one can give an answer.

Mr. MORSE. But we can talk about it hypothetically, and that is what I am coming to—

Mr. ALLOTT. That is all we can do at present.

Mr. MORSE. I am coming to the hypothetical question the Senator has in mind in regard to what our rights are. The rights of every other member of the Organization of American States happen to be that when they find that the security of, say "X" country—and I am going to talk about the United States—becomes jeopardized, and there is no action which the Organization of American States can agree to, of course, that was the Cuban missile case. It does not have to be a missile threat. We can take other kinds of threats, which I shall discuss momentarily. I thank the Senator for helping me point up the problem.

Mr. ALLOTT. I appreciate the Senator's remarks because in discussing a hypothetical situation, we also look down the road to see alternatives that will have to be met, which will not be easy to solve.

Mr. MORSE. Madam President, I recapitulate, because I wish the RECORD to be perfectly clear for future reference regarding my position, which is the same as that of the Senator from Colorado, on the basis of what he has stated thus far.

We acted by moving in to protect our nationals when we were advised that the Government of the Dominican Republic, which we had recognized, could not guarantee their protection, although we are protecting other nationals as well as our own. We have no right to act unilaterally beyond that limited purpose. As I have said, discussions with other Latin American countries on what to do next will begin tomorrow morning. As I have stated to the Senator from Colorado, I believe that if a factual situation should develop which would meet the premises of the hypothetical points I now state; namely, that Communist forces are about to take over another sector of the Western Hemisphere within the boundaries of an existing country—in this instance, the Dominican Republic—the OAS will be obligated to act under both Punta del Este and the Washington act of a year ago, signed in Washington, D.C., along with the Senator from Iowa [Mr. HICKENLOOPER] and I, who had the privilege of being the two Senate delegates, as the Senator from Iowa [Mr. HICKENLOOPER] and I were to Punta del Este, and also to the Act of Bogotá.

Assuming that such facts did exist—at least we thought they existed—if the OAS decided not to act and did not agree with the contention I have just made that under Punta del Este and the act of Washington they should act,

April 30, 1965

CONGRESSIONAL RECORD — SENATE

8797

would we then be justified in unilateral action?

Let the record be clear that it is my opinion that we would be justified if—and only if—we believed that the security of the United States was directly threatened by such a Communist takeover.

That is the Cuban case all over, so far as the missile situation is concerned. President Kennedy acted unilaterally in that situation, in that there was no formal agreement at the time he acted on the part of our allies in Latin America, but there was an informal understanding. There was immediately a full briefing of our allies in the Western Hemisphere, as to why the President found it necessary from the standpoint of the security of our country to take the action which he did. Everyone knows what the aftermath was; namely, complete understanding. Not only that, we had the acceptance of that act on the part of the United States to protect its own security, which is not removed from us by the OAS Charter—or the United Nations Charter, for that matter.

I hope that the hypothetical points I have just outlined will not develop.

Many disagree with me in the position I took, but I thought it was a great mistake for the United States to recognize the military junta in the Dominican Republic.

Remember that when the President invited a group of us to a Cabinet meeting for a briefing on the situation, mine was the lone dissent in the group. I stated at that meeting that I feared recognition of the military junta would be interpreted in many places—including the Dominican Republic—as a rejection on the part of the United States of constitutionalism in the Dominican Republic. I further stated then, and reiterated on the floor of the Senate immediately thereafter, that I held no special brief for Bosch, and did not know the facts about the allegations concerning him, but that I knew he was President constitutionally.

He had left the country. The Constitution called for his successor to take office. I said it was a great mistake for the United States to recognize and assist the military junta in open defiance of that constitutional system; that our position ought to be that the next man in line should take office; and that the Congress of the Dominican Republic should be defended and should be allowed to carry out its constitutional authority.

I said in that Cabinet meeting and later on the floor of the Senate that if we did not follow that course of action we would be inviting other uprisings in the Dominican Republic and would play into the hands of military juntas elsewhere in Latin America.

The record is perfectly clear that that is exactly what is happening and what has happened in other places, and will continue to happen, so long as the United States follows, as it does intermittently, a course of action in respect to aiding governments which come into being through military overthrow.

We shall not strengthen the image of the United States in Latin America whenever we turn our back on a constitutional system.

I said we should not recognize any military junta unless we get some conditions precedent, by way of commitment. I want to know what the group that is now asking for support proposes to do about returning the Dominican Republic to a constitutional system providing for elections.

Is it merely a caretaker government for an interim period of time until the Congress of the Dominican Republic can put its constitutional processes to work again? It is perfectly obvious that what we are being asked to do is to recognize a group of militarists who have taken over a government by force. Wesslin Wesslin was the leader then, and he is now. I said, also that I thought all we were doing was buying trouble for ourselves. We have certainly found it.

That does not mean that I shall support a revolutionary body in the Dominican Republic until I know at least what its intent is. There is no doubt that since we have recognized it the Dominican Government has been ruled by a military group. It is their right to revolt. It is very easy, when a group of freemen revolt against military tyranny, for many to put the label of "Communists" on them.

I have not the slightest idea how many, if any, Communists are involved. I would not be surprised if there were not some. However, my words today should be phrased in syllables of caution. Let us be careful not to prejudice what may be a good faith attempt on the part of freemen to overthrow a form of totalitarianism which has plagued this little country for many years.

VIETNAM

Mr. MORSE. Madam President, the discussion today in the Senate and in the Foreign Relations Committee about the Dominican Republic led into a discussion of South Vietnam. I shall be exceedingly brief about it. However, a good deal of this discussion today has been around the meaning of the joint resolution which Congress passed on August 7 with only 2 dissenting votes, those of the Senator from Alaska (Mr. Gruening) and the senior Senator from Oregon.

I ask unanimous consent that the joint resolution may be printed at this point in my remarks.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors

and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

Sec. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member of protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Sec. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

Mr. MORSE. Madam President, in spite of some of the statements I heard today from my colleagues in the Foreign Relations Committee, which I believe can fairly be said to reflect reservations on their part as to the sweep and breadth of the resolution, I voted against the resolution because of its sweep and breadth, as the material which, without taking the time to read it, I shall put into the Record shortly will show.

My argument of August 6 and 7 emphasized over and over again that I thought the resolution was entirely too broad and did not contain within its language sufficient checks on the part of Congress.

The first resolving clause reads:

That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

The words "to prevent further aggression" are absolutely undefined as to time, place, or the source of said alleged aggression.

So also are the words "take all necessary measures" totally unlimited and undefined.

That is rather broad.

Section 2 reads:

Sec. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the

AMERICAN POLICY AND THE
DOMINICAN REPUBLIC DR

Approved For Release 2003/10/15 : CIA-RDP67B00446R000500120036-5

Mr. ELLENDER. Mr. President, I ask unanimous consent that I may be permitted to speak for 10 minutes.

The PRESIDING OFFICER (Mr. MONDALE in the chair). Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I regret that I was unable to be in the Senate Chamber yesterday when the senior Senator from Mississippi [Mr. EASTLAND] made his remarks concerning the situation now prevailing in the Dominican Republic.

On several occasions in the past I have pointed out the fallacy of American policy toward the Dominican Republic. The role played by the United States in the overthrow of the Trujillo regime was shameful. There can be no doubt that we were wrong in meddling in the internal affairs of the Dominican Republic. In our zeal to foist democratic governments upon the people of Latin America we inevitably find that in most all attempts we have exchanged a stable government for one of chaos. The record of our policy toward Latin American governments should convince us that there are far worse things than the traditional military governments of those republics.

In Cuba we exchanged an innocuous army sergeant for a dangerous Communist that almost brought disaster to us in October 1962. I had warned against Castro, but the State Department and the press clamored for Batista's ouster and saw in Castro a savior for Cuba.

It is time that our Government put aside its moralist attitude in foreign policy. We must acknowledge the fact that we cannot hurry the process of democracy. We can only encourage it. We can hope that others will follow the example of our Revolution, but we must not allow ourselves to pursue unwise policies when they choose to charter their course differently. Democracy is a slow and painful process which has its founda-

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, who art behind the enshrouding shadows, and in them, and who in all life's crises art a shelter from the stormy blasts, and as the shadow of a great rock in a weary land: Thou hast called us to play our part in tragic and decisive years which are determining the shape of tomorrow's life for Thy children on this earth which is our home.

Undisturbed by the shattering events which fling their angry fury across our troubled world, we would maintain an inner sanctuary inviolate and still.

As increasing tests await this dear land of our hope and prayer, we pray that we may not shirk facing the issues of these creative days as we discharge the stewardship of world leadership, or lose our victorious faith in the final overthrow of evil and the coronation of righteousness and truth, but that solemnly committing ourselves and our cause unto Thee who knoweth the way we take, we may come forth like gold tried in the fire.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. STENNIS, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 29, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

April 30, 1965

CONGRESSIONAL RECORD — SENATE

8711

tions in the development of a sense of personal responsibility in the citizenry.

Leaders who are not satisfactory to us may be suitable for the countries they head. If we continue to look for George Washingtons in every revolutionary uprising in Latin America, we shall continue to be rewarded with Castros.

That Trujillo was a strong man cannot be denied, but to equate his type of dictatorship with that of Hitler's was a serious mistake. Here I am speaking of intensity and not just magnitude. During the Trujillo regime American assistance to the Dominican Republic was negligible, amounting to only \$4 million. Now it is enormous. In spite of that aid, the political and economic conditions of that country were far healthier than today. We have given \$103.9 million to that nation since Trujillo's death, excluding fiscal year 1965, the current fiscal year.

I visited the Dominican Republic in 1958 and at that time the assistance we granted was primarily technical and at low cost. Great progress was made in the economic development of the country under Trujillo's direction. In my report to the Senate, I observed that:

His [Trujillo's] efforts have been directed at bettering the living conditions of his people. It is obvious that under his administration the Dominican Republic has made great economic progress. As a matter of fact greater progress has been made in the Dominican Republic since 1952, the year of my last visit, than in any country in South and Central America during the same period.

I have never advocated the use of American aid to shore up dictatorships in Latin America. I have advocated self-determination of these republics and the encouragement of closer economic ties between the United States and the other countries of this hemisphere. I have favored and do now favor technical assistance and repayable loans for the development of the great natural resources of our hemisphere. I support the principles of the Alliance for Progress and have always insisted that our first consideration in extending assistance should be to Latin America. Close proximity alone is sufficient reason to concentrate on the economic development of these republics.

In my speech on the Senate floor on August 24, 1960, regarding our policy toward the Belaguer government of the Dominican Republic, I said:

In politics, both domestic and foreign, as in physics, a vacuum once created is quickly filled. The sanctions which the President proposes to impose against the Dominican Republic—commercial sanctions, as opposed to an embargo on arms shipments—will, in time, I am convinced, result in the removal of the existing government of that country and in the creation of a political vacuum. Once a vacuum develops, Mr. President, it will be quickly filled.

If we constantly pressure governments to conform to our ideas of democracy by use of the aid programs we shall never have stable governments. It is charged that our aid is being wasted by corrupt practices. This is one reason I have opposed this type of aid. Countries are less likely to waste money obtained through repayable loans than by grants. Emphasis should always be placed on

technical assistance which is of enduring value to the countries because it improves the people themselves.

An examination of our aid to the Dominican Republic from 1946 to 1964 indicates how much assistance we extended the Bosch regime and even with such massive aid it collapsed. Very little assistance was given to Trujillo, yet the country and its people were much better off then than they are today.

Mr. President, I ask unanimous consent to have printed at this point in the Record a table entitled "Aid Extended to Dominican Republic During the Period 1946-64."

There being no objection, the table was ordered to be printed in the Record, as follows:

Aid extended to Dominican Republic during the period 1946-64

Year:	Amount
1946-48 (economic)-----	\$500,000
1949-52 (economic)-----	300,000
1953-57 (\$4,300,000 military; \$1,200,000 economic)-----	5,500,000
1958 (\$900,000 military; \$200,000 economic)-----	1,100,000
1959 (\$700,000 military; \$200,000 economic)-----	900,000
1960 (\$200,000 military; \$200,000 economic)-----	400,000
1961 (economic)-----	100,000
1962 (\$200,000 military; \$35,000,000 economic)-----	35,200,000
1963 (\$1,900,000 military; \$51,600,000 economic)-----	53,500,000
1964 (\$1,500,000 military; \$13,700,000 economic)-----	15,200,000

(From 1946 to 1963 an additional \$2,500,000 of military stocks at acquisition cost to the United States was given to the Dominican Republic.)

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the Record my full report on the Dominican Republic, which I made in 1958.

There being no objection, the report was ordered to be printed in the Record, as follows:

DOMINICAN REPUBLIC

The Dominican Republic occupies the eastern two-thirds of the island of Hispaniola, which lies in the Caribbean Sea between Puerto Rico and Cuba. The western third is occupied by Haiti.

The area of the Dominican Republic is approximately 20,000 square miles, or about the combined areas of Vermont and New Hampshire. The maximum length from east to west is 240 miles and the maximum width from north to south is 170 miles. It has a coastline of more than 1,000 miles and the common border with Haiti runs 193 miles.

The population is approximately 2.5 million, composed of 70 percent mixed blood, 10 percent white, and 20 percent Negro. Ciudad Trujillo, the principal city, has a population of 194,000.

Discovered by Columbus on his first voyage in 1492, the island of Hispaniola constituted, in early colonial times, the jumping-off point from which the Spaniards fanned out into this hemisphere. The French settled the western end of the island which in 1697 was ceded to France and in 1804 became the Republic of Haiti.

In 1822 the Haitians conquered the whole island and held it until 1844 when the hero of Dominican independence, Juan Pablo Duarte, drove the Haitians out and established the Dominican Republic as an independent state. In 1861 the Dominicans vol-

untarily returned to Spanish domination and remained annexed to Spain until 1865.

In 1905 the U.S. Government established a receivership over the Dominican customs on behalf of U.S. bondholders, and U.S. financial tutelage continued in one form or another until 1940. From 1916 to 1924 the U.S. Marines occupied the Dominican Republic. Rafael L. Trujillo rose to power in 1930 when he first was elected President. He has remained in effective control of the Dominican Republic since then.

During Trujillo's stewardship, the Dominican Republic has made very substantial progress economically and in public health and construction. Members of the Trujillo family occupy high offices in the Government, including the Presidency, and also are reported to hold wide economic and financial interests in the country.

The Dominican economy is basically agricultural and is dependent for prosperity on world markets for its agricultural staples—sugar, coffee, and cacao. Of prime importance is sugar, which normally constitutes about 38 percent of the value of Dominican exports; 95 percent is sold for dollars in the world market.

Most of the coffee and cacao production is sold in the United States. Small quantities of foodstuffs, such as coconuts, beans, chilled beef, and live cattle, are exported to Puerto Rico and other Caribbean islands. The value of Dominican exports in 1957 was \$161,017,000 and the value of imports, \$116,478,000. Half of the exports normally go to the United States and more than 60 percent of the imports come from the United States. Per capita national income in 1955 was \$226.

Rice, corn, plantains, oranges, and pineapples are produced principally for domestic consumption. Manufacturing is limited primarily to the processing of certain agricultural commodities such as the manufacture of raw sugar, of sisal for cordage and other purposes, the production of rum, chocolate, and edible oils.

There are a few other industrial enterprises including cement, brewing, textile, and soft drinks. The mining industry is very small, although some salt and gypsum deposits are being mined and high-grade iron ore is being produced in very limited quantities. Bauxite deposits are being developed by Alcoa.

I was amazed at the signs of economic development since my last visit in 1952. The capital city of Ciudad Trujillo has had its face lifted and is being converted into a modern municipality. I was told by a number of U.S. businessmen as well as our own official representatives here, that Generalissimo Rafael Trujillo is a human dynamo, and one of the busiest men in his country. His efforts have been directed at bettering the living conditions of his people. It is obvious that under his administration the Dominican Republic has made great economic progress. As a matter of fact greater progress has been made in the Dominican Republic since 1952, the year of my last visit, than in any country in South and Central America during the same period. I was told that the country is now almost self-sufficient in the production of many commodities.

The Trujillo reign has been the subject of much criticism in the United States. In all frankness, I wish to make it abundantly clear that I do not regard myself as being in a position to comment on the conduct of the Government of this country, one way or the other. I have no personal knowledge as to the internal policies or, for that matter, the political composition of the Government of the Dominican Republic, although Americans with whom I spoke during my visit offered some criticism and also lots of praise.

I did find that hundreds of new homes have been built in Ciudad Trujillo. In addition I saw many fine schools, good hospitals and excellent market facilities. I was informed that similar facilities have been

April 30, 1965

provided in other parts of the country. I did not see cleaner and better operated markets in any South or Central American country than those I saw in the Dominican Republic. It is apparent that good meat, fine poultry and a large assortment of vegetables and other products are now being produced in large quantities.

I was informed that the Trujillo government has fostered the immigration of over 200 Jewish people who are engaged in developing a dairy industry. They have met with much success.

A good road system is being built and many harbors are being adapted to commerce.

I talked with both Generalissimo Trujillo and his brother, the President, Hector B. Trujillo Molina. We discussed various subjects and I reminded Generalissimo Rafael Trujillo of two previous occasions when I had met him, both of which were in Washington. He remembered the two occasions.

I asked for a frank opinion from both men as to the status of relations between the United States and the Dominican Republic. General Trujillo emphasized that, in his opinion, relations were extremely good, and that he knew of no way to improve them.

Our discussions centered on the island's economy, and I was given much information which later I substantiated by personal visits. I did not discuss the case of Gerald Lester Murphy, the American pilot who disappeared under mysterious circumstances in December of 1956, nor did I allude to the criticism of the Trujillo regime in connection with that incident.

In my tour of the Republic, I saw visible evidence of expanded agricultural and industrial capacity far beyond my expectations. The people are working and seem to be contented.

I visited one of the world's largest sugar mills, located at Rio Haina. The equipment is massive. The mills crush 15,000 tons of cane each 24 hours, and with a total capacity of over 2,700,000 tons of cane per year. Total sugar production for the country is 900,000 tons per year. The Dominican Republic's internal consumption amounts to 60,000 tons. Some 73,000 tons is exported to the United States under the existing quota system and the remainder is sold at world prices.

I also saw the site of the 1956 fair (the buildings are now being used to house various government agencies), and I visited the site of Christopher Columbus' landing on Hispaniola. The stump of the old tree where Columbus is said to have tied his ship still stands, although reinforced by concrete.

I also visited a palace built by Bartholomew Columbus, which was recently restored at a cost of over \$1 million. At Columbus Square, I entered Columbus Church, where Christopher Columbus is said to be buried. The church is over 400 years old.

A very spacious and modern hotel has been built in recent years. It compares favorably with many of our own. The country offers an ideal spot for tourists.

EMBASSY OPERATIONS

Our Ambassador to the Dominican Republic is Joseph S. Farland, a conscientious worker who is apparently doing a good job, and is well liked.

So far he has prevented the construction of a new chancery building—or, at the very least, an expensive addition to the present building. He told me that the addition of a few rooms to the rear of the present structure would more than take care of the Embassy's needs.

He also did his best to prevent the recent extensive repairs to the home of the Ambassador, but his views did not prevail.

Incidentally, 2 years have elapsed since construction began, and the work is still not completed. The Ambassador is living in a rented building. I was informed that the repairs will cost more than \$150,000.

The political section is headed by Francis L. Spaulding, who is also deputy chief of mission. He is assisted by one officer and one U.S. secretary. Two other Americans are also assigned to this section but are not chargeable to the State Department.

The section is well organized, and could well serve as a model for other posts. No reports are required of this section, other than contributions to WEEKA.

The economic and commercial section is under the direction of Henry S. Hammond. His staff is composed of one American officer and one secretary, plus two local employees. He said his chief duty is filling the comprehensive reporting program reports.

Harry M. Lofton is chief of the consular section. He is assisted by two American officers, one American clerk and five locals. There are 1,260 U.S. citizens registered with the consular; some 3,000 or 4,000 additional Americans in the Dominican Republic who serve on occasions although not registered. This latter category includes a number of people who entered the Dominican Republic from Puerto Rico to work in the cane fields. Many have remained here so long that they have lost their U.S. citizenship.

During the first 6 months of 1958, this section issued 650 immigrant visas and 2,030 nonimmigrant visas. Mr. Lofton said that the yearly average amounts to about 6,000 nonimmigrant quotas and 1,150 immigrant quotas. About \$30,000 in fees are collected each year. Lofton is a fine and faithful officer and is well qualified to hold a much higher position than he now fills.

Lee Cotterman is head of the administrative section. Thirteen Americans and 11 local employees are charged to this section. However, of the 13 Americans 7 are U.S. Marine guards. Cotterman is the only officer in this section, which does all the "house-keeping" work for USIS, including the preparation of their budget. It also extends either full or partial administrative support to ICA (but does not participate in either budget preparation or payment of employees for this agency), the agricultural attaché, and the Air Force and Naval Mission, and Military Assistance Advisory Group.

Exhibit A is the table entitled "Current Total Allotment Limitations," which lists, among other things, the amount of money paid the administrative section on a reimbursable basis for work performed for non-State Department agencies.

Exhibit B is a memorandum covering Embassy operations.

SERVICE ATTACHÉS, MILITARY MISSIONS, AND MILITARY ASSISTANCE ADVISORY GROUP

The naval military attaché, Cmdr. Thomas Keyes, is the sole military attaché here. The Army attaché in Havana and the Air attaché in Caracas are also accredited to the Dominican Republic.

Commander Keyes is assisted by one civilian and one local employee.

However, we maintain both naval and air missions here. The naval mission is headed by Cmdr. George H. Rood. The commanding officer of the air mission is Col. John J. Thornhill.

While a naval mission is very much desired, I was informed that the air mission is not wanted by the Dominican Government. We furnished airplanes to the Dominican Republic at one time and now that they are no longer needed, the Government wants to return them to us at once, I was informed.

I recommend that the aircraft be accepted by the United States, pursuant to the desire of the local government, and that the Air Force mission be withdrawn. Certainly, we are doing ourselves no good by maintaining a mission here which is not wanted by the host government, especially when the sole excuse for the continuation of the mission is the possession by the local government of aircraft which that government is anxious to return to the United States. In addition

Colonel Thornhill was frank in telling me that he has nothing to do and sees no reason why he should be kept on assignment here.

Attached to the conclusion of my remarks on the Dominican Republic and labeled "Exhibit C" is a description of the duties of the naval attaché and specific answers to questions as to availability of hardware furnished to the Dominican Republic by the Military Assistance Advisory Group. However, the latter portion of answers furnished by MAAG have been declared confidential and are for the use of the Appropriations Committee alone.

U.S. INFORMATION SERVICE

The U.S. Information Service mission is headed by Miss Juana A. Vogt; she told me that she keeps very busy. She is the only officer and is assisted by three locals. Aside from her salary (which is paid by Washington), the cost of operating this mission amounts to \$24,480 per year. We maintain one binational center here. We contribute \$8,000 to pay English teachers, and pay for one grantee who operates the center.

There are also three educational exchange programs in operations in the Dominican Republic:

- (1) The program of scholarships and other aid under Public Law 402;
- (2) A bilateral exchange program under agreements authorized by the inter-American cultural convention, which provides two scholarships in each country; and
- (3) Scholarships provided through the Institute of International Education, which have averaged about two a year.

Exhibit D is a compilation of USIS activities in the Dominican Republic.

INTERNATIONAL COOPERATION ADMINISTRATION

The ICA mission is headed by Henry R. Jasmer. For fiscal 1959 the program calls for eight U.S. citizens and five locals.

The administrative expenses for fiscal 1959 will require some \$42,000. This sum includes the salaries of the five locals and the director.

I was assured that no money is being used for economic aid, but only for demonstration purposes. Forty thousand dollars was contributed to a vocational education service, along with books, tools for shops, etc. It strikes me that some of these programs could be eliminated.

The projected ICA program for fiscal year 1959 shows a substantial increase over fiscal year 1958, with \$238,000 programmed for expenditure, compared with \$171,000 during fiscal 1958. In this regard, as exhibit E (attached) demonstrates, the program in the prior fiscal year, fiscal year 1957, required only \$136,000.

While these amounts are comparatively small, I frankly doubt the need for further expenditures here at all. The Dominican economy is healthy, and, I believe, well able to provide the needed advancement.

I want to make it clear that while the program presently is confined to technical assistance, I can see no reason why the local government should not either pay the needed technicians, or at least, reimburse the U.S. Government for their salaries. As a matter of fact, the local government has already employed a number of American and European technicians in various fields.

Exhibit E is a fiscal summary of ICA/Dominican Republic expenditures during recent years, and a discussion of various technical aid projects either underway or already completed.

Mr. ELLENDER. Mr. President, I should like to read excerpts from a speech I made in the Senate on February 9, 1959:

In the Dominican Republic, I learned, to my surprise, that it possesses one of the largest sugar factories in the world, and I had the opportunity to see this factory at the time of my visit. It, as the report

April 30, 1965

CONGRESSIONAL RECORD — SENATE

8713

shows, grinds 15,000 tons of sugarcane every 24 hours. It is modern in every respect. To me, it is a great advancement in the production of sugar, which, by the way, is the principal industry of the Dominican Republic.

I may say by way of repetition, because it appears in my report, that I found the least amount of progress being made in Haiti. In my report, I state that although conditions in Haiti are not exactly hopeless, it would take the expenditure of much money to improve economic conditions there.

I found that in Haiti—as in other underdeveloped countries of the world—many of our foreign aid administrators are trying to start at the middle rung of the economic ladder rather than the bottom rung. They have tried to do the job too fast, and go far beyond the capability of the people. In other words, it is my feeling that aid programs should begin at the lowest level and be worked upward very slowly. A man must first be shown how to build a better hut before he is shown how to build a four-bedroom house with three baths.

Many of the projects which the United States has fostered in Haiti through ICA and other operations are, in my opinion, more or less WPA—or make work—projects. For instance, modern machinery is not used to build canals for irrigation purposes. The work is actually carried on to give employment to the greatest number of people. That may be a good thing, but I found it to be very expensive. I learned that prior estimates of projects cost—because of this make-work procedure—are many millions of dollars under what the actual construction costs will be.

Mr. President, I was interrupted by the distinguished Senator from Florida [Mr. SMATHERS] who, as all of us know, has had much experience in the affairs of South and Central America. The Senator from Florida said:

Mr. SMATHERS. I congratulate the able Senator from Louisiana on the report which he is making about his trip through Central and South America. I was privileged to follow him by about 6 weeks. I visited only five or six of the countries, but each of the countries which I visited had been visited earlier by the Senator from Louisiana, and the people were still very much impressed by the interest shown by the Senator from Louisiana in every facet of their life.

I also congratulate the Senator on having the courage to stand in the Senate and make the statement in which many of us who have traveled in that area completely concur, namely, that in the Dominican Republic, which operates under a form of government of which we do not necessarily approve in this country, more schools and hospitals and better health facilities and better roads have been built per thousand persons than in almost any other country in either Central America or South America. Unfortunately, too infrequently are Senators willing to make such an assertion, because they fear that some criticism might be directed to them for having, in some fashion, upheld the hand of Mr. Trujillo. But in this instance, I congratulate the Senator from Louisiana for his statement, and I associate myself with it.

Mr. ELLENDER. Mr. President, as was specifically stated by the Senator from Florida, I could get no one except, as I recall, the distinguished Senator from Mississippi [Mr. EASTLAND] to agree with me with respect to my findings in the Dominican Republic. Everyone was afraid to say anything good about Trujillo. Because I had visited South

America and Central America in 1952 and again in 1959, I was able to compare the situations that existed in 1952 and 1959. As I said in my report, I found no country in South America or Central America that had made the progress that the Dominican Republic under Trujillo had made. I was lambasted by some of the newspapers from ocean to ocean and from Canada to Mexico when I spoke favorably of the Trujillo regime.

Notwithstanding what my critics may have said about me the statements I made in 1959 and 1961, when Trujillo was assassinated, have proven to be prophetic. I derive no great pleasure in having been proved right in predicting the chaos that would ensue in the Dominican Republic. But if my advice had been heeded by the administrations, we would not be in the trouble we are in today in Santo Domingo.

On October 1, 1963, a few days after Juan Bosch had been deposed, the Senator from Oregon [Mr. MORSE] and I had a colloquy which appears on page 18485 of the Record for that day. I said:

Mr. ELLENDER. The Senator will remember that we were at odds with respect to what was happening in the Dominican Republic prior to the Bosch regime. At the time of my visit in the Dominican Republic I said it was a mistake for us to do anything to throw Trujillo out. We did it. Today there is turmoil, and it can be expected to continue. That has been true since Trujillo's overthrow. Since the death of Trujillo we spent more than \$65 million in economic aid alone, and that is only a beginning.

Since that time, as I pointed out earlier, we have spent \$40 million more; and although I do not have the precise amount we have spent in fiscal year 1965, it has been quite a large sum. I continue to read:

As I pointed out, there is no question that Trujillo was a dictator. There is no doubt that he might have had to kill a few persons to get where he was. He did it with force. However, that is the condition we find all through the South American countries.

If the distinguished Senator from Oregon or the distinguished Senator from Alaska believes that they can establish democracy, as we know it in this country, he is mistaken. It will require time to do so. If Trujillo had not been killed I venture to say that much of the property that he owned would have been distributed among the people. He had started to do that. Unfortunately, he was shot before that operation could be carried out. After that happened, I predicted that there would be chaos in that country. It will take millions of dollars to restore order, and we may never be able to restore the prosperous economy that existed prior to the death of Trujillo.

Mr. President, I must reiterate that it causes me great pain to see my dire predictions come to pass in the Dominican Republic, when it is realized that little effort would have been required to prevent their fulfillment. When blunders are committed, however, it often takes drastic action to bring about their correction. In this connection, I agree that it is necessary for our Nation to protect the American lives that are endangered by the current chaos in the Dominican Republic, but I hope that the action

taken by our President will be restricted to just the attainment of that goal.

Our motives are now being questioned by some of our friends in this hemisphere. Due to the fact that our present intervention is occurring at a time when we are being accused of interfering in Asia, it will be most difficult for us to make a convincing argument as to what prompts us to follow through with our intervention in the Dominican Republic.

Mr. President, I ask unanimous consent to have printed at this point in the Record, a chronology of the regimes in the Dominican Republic since the ouster of Trujillo.

There being no objection, the chronology was ordered to be printed in the Record, as follows:

CHRONOLOGY OF REGIMES SINCE TRUJILLO OUSTER

I

Trujillo was killed on May 31, 1961 and at that time Belaguer was President. He remained in office until December 29, 1961.

II

Belaguer was ousted as the result of a coup d'etat and the coup set up a government which remained in power during the period January 18, 1962 through January 31, 1962.

III

On January 31, 1962, the "Council of States" Government, headed by Mr. Borelli took control and remained in command until the inauguration of Juan Bosch on May 27, 1963.

IV

Mr. Bosch was ousted by a military coup on September 25, 1963 and subsequent to his removal the military group set up a civilian triumvirate, which remained in control until this past weekend.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

H.R. 5702. An act to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission (Rept. No. 174).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BARTLETT:

S. 1858. A bill to promote the replacement and expansion of the U.S. nonsubsidized merchant and fishing fleets; to the Committee on Commerce.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. BASS:

S. 1859. A bill for the relief of Giovanni Profeta and Oliva Pizzo Profeta; to the Committee on the Judiciary.

By Mr. JORDAN of North Carolina (for himself and Mr. ERWIN):

S. 1860. A bill for the relief of Flor Franco Guillermo and Erlindo Franco Guillermo, Jr.; to the Committee on the Judiciary.

By Mr. BAYH (for himself, Mr. BARTLETT, Mr. BURDICK, Mr. DIRKSEN, Mr. DOUGLAS, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. INOUYE, Mr. KENNEDY of Massachusetts, Mr. LAUSCHE, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCARTHY, Mr. McNAMARA, Mr. METCALF, Mr. MILLER, Mr. MONDALE, Mr. MORSE, Mr. NELSON, Mr. PROXMIER, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SMATHERS, Mr. SYMINGTON, Mr. TYDINGS, and Mr. YOUNG of Ohio):

S. 1861. A bill to provide additional assistance for areas suffering a major disaster; by unanimous consent; to the Committee on Public Works.

(See the remarks of Mr. BAYH when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (by request):

S. 1862. A bill to authorize an appropriation of \$175,000 for use in the restoration as a historic site of the building in Wheeling, W. Va., known as West Virginia Independence Hall; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG of North Dakota:

S. 1863. A bill for the relief of Salih K. Cankir; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey (for himself, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. JAVITS, Mr. CLARK, Mr. MCCARTHY, Mr. DOUGLAS, Mr. INOUYE, Mr. YOUNG of Ohio, and Mr. BARTLETT):

S. 1864. A bill to amend the Fair Labor Standards Act, 1938, as amended, to provide for minimum wages for certain persons employed in agriculture, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. JAVITS, Mr. CLARK, Mr. MCCARTHY, Mr. INOUYE, Mr. DOUGLAS, Mr. YOUNG of Ohio, Mr. LONG of Missouri, Mr. NELSON, and Mr. BARTLETT):

S. 1865. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. CLARK, Mr. MCCARTHY, Mr. INOUYE, Mr. DOUGLAS, Mr. YOUNG of Ohio, and Mr. BARTLETT):

S. 1866. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. JAVITS, Mr. CLARK, Mr. MCCARTHY, Mr. MORSE, Mr. INOUYE, Mr. DOUGLAS, Mr. YOUNG of Ohio, and Mr. BARTLETT):

S. 1867. A bill to amend the act of June 6, 1933, as amended, to authorize the Secretary of Labor to develop and maintain improved, voluntary methods of recruiting, training, transporting, and distributing agricultural workers, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. NELSON, Mr. JAVITS, Mr. CLARK, Mr. MCCARTHY, Mr. INOUYE, Mr. DOUGLAS, Mr. YOUNG of Ohio, and Mr. BARTLETT):

S. 1868. A bill to provide for the establishment of a Council to be known as the "National Advisory Council on Migratory Labor"; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. KENNEDY of Massachusetts, Mr. NELSON, Mr. JAVITS, Mr. MCCARTHY, Mr. MORSE, Mr. INOUYE, Mr. YOUNG of Ohio, Mr. YARBOROUGH, and Mr. BARTLETT):

S. 1869. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of housing facilities for agricultural workers by permitting the amortization over a 60-month period of the cost, or a portion of the cost, of constructing such housing facilities; to the Committee on Finance.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. KENNEDY of Massachusetts, Mr. NELSON, Mr. MCCARTHY, Mr. INOUYE, Mr. YARBOROUGH, and Mr. McGEE):

S.J. Res. 75. Joint resolution proposing an amendment to the Constitution of the United States relating to residence and physical presence requirements for voting in presidential and vice-presidential elections and for voting in elections for U.S. Senators and Members of the House of Representatives; to the Committee on the Judiciary.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above joint resolution, which appear under a separate heading.)

PROMOTING THE EXPANSION OF THE U.S. MERCHANT AND FISHING FLEETS

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill to promote the replacement and expansion of the U.S. nonsubsidized merchant and fishing fleets.

The United States has a long and brilliant history on the high seas. This history began in the early days of the Republic. Over the years the U.S. power and prestige on the seas has known days of glory and days of decline but there has never been, in my opinion, a time in history in which the U.S. position on the high seas was as weak as it is today.

It is acknowledged that a nation's power on the high seas depends not only, or even primarily, on its naval capability, but rather its prestige and power depends essentially on its ability to carry commerce and harvest the resources of the ocean. In turn, this power and ability for peaceful and commercial uses of the oceans is ultimately dependent upon the availability of a sizable, modern efficient, fleet of vessels. This Nation has no such fleet. Our prestige as a maritime power is hampered by many obstacles—some are domestic, some foreign, but in my opinion the obstacle that

is paramount is the shameful inadequacy of the present merchant and fishing fleet. The fleet is too small. It is old. Yet the United States has no effective instruments to encourage an increase in the fleet or even an adequate replacement of the fleet. This bill is designed to accomplish precisely this.

What this bill in essence does is allow merchant vessel operators to commit themselves by contract with the Secretary of Commerce, and fishing vessel owners with the Secretary of the Interior, for the establishment of a vessel replacement reserve fund. Into this fund must be deposited the proceeds of the sale of any vessel, proceeds of any insurance and indemnities, annual depreciation charges, earnings made on deposits in the fund, and may be deposited moneys from other sources such as operating earnings. Such deposits are treated as tax deferred but only if they are used for this exclusive national interest purpose—the replacement and modernization of merchant or fishing vessels. This is no tax escape proposal.

Further it provides, in the case of merchant vessels, that Government payments in the form of freight rate differentials on Government-sponsored cargoes must, and in degree determined by the Secretary of Commerce, be deposited in the reserve fund dedicated to vessel replacement. It is apparent to me that to a substantial degree the singular inadequacy we can now note in the so-called cargo preference act is that it has not promoted the construction of a modern tramp or bulk-carrying fleet. This must be corrected now. With this correction we can look to the construction of modern vessels—and with them a vast lowering in the cost of differential payments as these programs continue in the future.

Those who are familiar with the present plight of our seapower need not be reminded of the desperate condition of our merchant marine and fishing fleets. But for others let me say, but say briefly, that it is an extremely depressing picture. The present fishing fleet is composed of approximately 12,000 vessels. Ninety percent of these are extremely small craft capable of fishing only inland and coastal waters. Two-thirds of the present U.S. fishing fleet is overage; 50 percent was constructed 30 years ago.

This presents a sad picture when compared with the fishing fleet of the United States immediately before World War II. And it is even a sadder picture when compared with the modern fishing fleets of European nations and modern fishing fleets being constructed by Japan and the Soviet Union. I believe that the clearest illustration of the inadequacy of the present fishing fleet is the fact that this summer over 1,500 large foreign fishing vessels ranging in size from 1,000 to 15,000 tons will harvest our coastal fishery resources. The United States has only 200 vessels in its entire fleet that will match the smallest vessel in the foreign armada that will ring the U.S. coast. We must take action to place again an American-flag fishing fleet on the high seas.

GRESSIONAL RECORD — SENATE

8775

for not applying Louisiana law, a manifestly untenable position under the supremacy clause of the Federal Constitution, they responded with their ultimate weapon by closing up shop altogether. We asked a single district judge, who had been a dissenting member of the panel which enjoined use of the tests, to order the registrars to resume registration. This judge agreed with the registrars. We appealed immediately and obtained a temporary injunction pending appeal. But meanwhile the rolls had been frozen for over 6 months.

Attorney General KATZENBACH. Let me pursue the matter a little. This is not a case where the Congress would be invoking some inherent, but unexpressed, power. The Constitution itself expressly says in section 2 of the 15th article of amendment:

"The Congress shall have power to enforce this article by appropriate legislation."

Here, then, we draw on one of the powers expressly delegated by the people and by the States to the National Legislature. In this instance, it is the power to eradicate color discrimination affecting the right to vote. Accordingly, as Chief Justice Marshall said in *Gibbons v. Ogden* (9 Wheat. 1, 196), with respect to another express power—the power to regulate interstate commerce—

"[T]his power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations, other than are prescribed in the Constitution."

That was the constitutional rule in 1824 when those words were first spoken by Chief Justice Marshall. It remains the constitu-

This legislation has only one aim—to effectuate at long last the promise of the 15th amendment—that there shall be no discrimination on account of race or color with respect to the right to vote. That is the only purpose of the proposed bill. It is, therefore, truly legislation "designed to enforce" the amendment. To meet the test of constitutionality, it remains only to demonstrate that the means suggested are appropriate.

The relevant constitutional rule, again, was established once and for all by Chief Justice Marshall. Speaking for the Court in *McCullough v. Maryland* (4 Wheat. 316, 421), he said:

"Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional."

The same rule applies to the powers conferred by the amendments to the Constitution. In the case of *Ex parte Virginia* (100 U.S. 339, 345-346), speaking of the 13th and 14th amendments, the Court said:

"Whatever legislation is appropriate, that is, adapted to carry out the objects the amendments have in view, whatever tends to enforce submission to the prohibitions they contain, and to secure to all persons the enjoyment of perfect equality of civil rights and the equal protection of the laws against State denial or invasion, if not prohibited, is brought within the domain of congressional power."

See also, *Everard's Breweries v. Day* (265 U.S. 545, 558-559), applying the same standard to the enforcement section of the prohibition (18th) amendment.

That is really the end of the matter. The means chosen are certainly not "prohibited" by the Constitution (as I shall show in a moment) and they are—as I have already outlined—"appropriate" and "plainly adapted" to the end of eliminating racial discrimination in voting. It does not matter, constitutionally, that the same result might be achieved in some other way. That has been settled since the beginning and was expressly reaffirmed very recently in the cases upholding the Civil Rights Act of 1964. See *Atlanta Motel v. United States* (379 U.S. 241, 261).

All workable legislation tends to set up categories—inevitably so. I have explained the premise for the classification made and, with some possible exceptions, as I have said, the facts support the hypothesis.

But the exceptional case is provided for in section 3(c) of the bill which I have already discussed. Given a valid factual premise—as we have here—it is for Congress to set the boundaries. That is essentially a legislative function which the courts do not and cannot quibble about. Compare *Boynton v. Virginia* (364 U.S. 454), *Curran v. Wallace* (308 U.S. 1), *United States v. Darby* (312 U.S. 100, 121). See also, *Purity Extract Co. v. Lynch* (226 U.S. 192).

The President submits the present proposal only because he deems it imperative to deal in this way with the invidious discrimination that persists despite determined efforts to eradicate the evil by other means. It is only after long experience with lesser means and a discouraging record of obstruction and delay that we resort to more far-reaching solutions.

The Constitution, however, does not even require this much forbearance. When there is clear legislative power to act, the remedy chosen need not be absolutely necessary; it is enough if it be "appropriate." And I am certain that you all recall that the Supreme Court—in sustaining the finding of the 88th Congress that racial discrimination by a local restaurant serving a substantial amount of out-of-State food adversely affects interstate commerce—made it clear that so long as there

8776

CONGRESSIONAL RECORD -- SEN.

is a "rational" basis" for the congressional finding, the finding itself need not be formally embodied in the statute (*Katzenbach v. McClung* (379 U.S. 294, 303-305)).

I turn now to the contention often heard that, whatever the power of Congress under the enforcement clause of the 15th amendment in other respects, it can never be used to infringe on the right of the States to fix qualifications for voting, at least for non-Federal elections. The short answer to this argument was given most emphatically by the late Mr. Justice Frankfurter, speaking for the Court in *Gomillion v. Lightfoot* (364 U.S. 339, 347), a 15th amendment case:

"When a State exercises power wholly within the domain of State interest, it is insulated from Federal judicial review. But such insulation is not carried over when State power is used as an instrument for circumventing a federally protected right."

The constitutional rule is clear: So long as State laws or practices erecting voting qualifications for non-Federal elections do not run afoul of the 14th or 15th amendments, they stand undisturbed. But when State power is abused—as it plainly is in the areas affected by the present bill—there is no magic in the words "voting qualification."

The "grandfather clauses" of Oklahoma and Maryland were, of course, voting qualifications. Yet they had to bow before the 15th amendment (*Guinn v. United States* (238 U.S. 347), *Myers v. Anderson* (238 U.S. 368)). Nor are only the most obvious devices reached. As the Court said in *Lane v. Wilson* (307 U.S. 268, 275):

"The amendment nullifies sophisticated as well as simple-minded modes of discrimination."

Nor do literacy tests and similar requirements enjoy special immunity. To be sure, in *Lassiter v. Northampton Election Board* (360 U.S. 45), the Court found no fault with a literacy requirement, as such, but it added:

"Of course, a literacy test, fair on its face, may be employed to perpetuate that discrimination which the 15th amendment was designed to uproot (id., 53. See also, *Gray v. Sanders* (372 U.S. 368, 379))."

Indeed, as the opinion in *Lassiter* noted, the Court had earlier affirmed a decision annulling Alabama's literacy test on the ground that it was "merely a device to make racial discrimination easy" (360 U.S. at 53). See *Davis v. Schnell* (336 U.S. 933, affirming 81 F. Supp. 872). And, only the other day, the Supreme Court voided one of Louisiana's literacy tests (*Louisiana v. United States* (No. 67, this term, decided Mar. 8, 1965); see, also, *United States v. Mississippi*, *supra*).

Thus, it is clear that the Constitution will not allow racially discriminatory voting practices to stand. But it is even clearer, as we have seen, that the Constitution invites Congress to do more than stand by and watch the courts invalidate State practices. It invites Congress to take a positive role by outlawing the use of any practices utilized to deny rights under the 15th amendment.

CRISIS IN SANTO DOMINGO

Mr. SMATHERS. Mr. President, the situation in Santo Domingo is tragic. The events which are occurring there should offend the sensibilities of the leaders of every government in the Western Hemisphere of the world and all civilized governments everywhere.

These events should not be permitted to continue. I, for one, am very pleased with the fact that the President of the United States saw fit to act quickly and decisively, as he did, with respect to sending U.S. marines to protect not only the American Embassy and American property, but, more importantly, Amer-

ican lives, and to offer sanctuary to nationals of other countries who might want to avail themselves of the protection afforded by our marines.

What the outcome of the situation will be, nobody at this point could accurately predict, but I for one hope that U.S. forces will remain there now that it has become evident that Castro and other Communist leaders have taken over the revolution; and that men who have been trained in Cuba, Czechoslovakia, and elsewhere behind the Iron Curtain, are leading the revolution, not any longer in the name of Juan Bosch, but in the name of communism.

We hope our forces are permitted to bring about a settlement of conditions in that country, and that we may call upon the Organization of American States to set up a trusteeship over that area, a trusteeship which was recommended by Mr. Figueres 3 years ago, after the turmoil which resulted after the assassination of Trujillo.

I am sure that anybody who has thought about this particular problem supports the position of the President. I do not know what the final decision will be; but I hope it will be that our troops will remain and help bring about order, peace, and tranquillity to that troubled and perplexed island.